



FEDERAL OMBUDSMAN



REPORT ON KASUR TRAGEDY & REDRESSAL OF SYSTEMIC ISSUES

Mapping of Issues & Response to Sexual Violence against Children

District Kasur, Punjab

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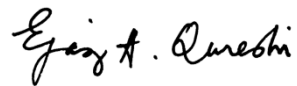
Wafaqi Mohtasib (Ombudsman)'s Secretariat,
Islamabad

Foreword

An in-depth study of sexual violence against children was carried out with technical assistance of UNICEF. Syeda Viqar un Nisa Hashmi spearheaded the whole study under the guidance of Senator Dr. S. M. Zafar, former Federal Minister for Law & Human Rights. The Hon'ble Federal Ombudsman provided full support which evolved intensive interaction with relevant government agencies, victims and their families.

I wish to acknowledge my deep gratitude for their efforts towards this worthwhile cause.

Sincerely,



(Ejaz A. Qureshi)

Sr. Advisor / National Commissioner for Children

Executive Summary

The menace of sexual abuse against children is a serious global issue and Pakistan is no exception. Globally 246 million girls and boys experience school-related sexual violence every year. In Pakistan 4,139 such cases had been reported in 2017. This includes 1,089 cases in Punjab, ranking it highest amongst provinces in the country. The official statistics of the last one decade reflect 272 incidents of sexual offence against minors in Kasur, with steady increase in offences from 6.2 percent in 2008 to 16.2 percent in 2017. These incidents have life-long adverse effect on the lives of the surviving victims and their families and cumulatively on the future of Nation.

Taking cognizance of the serious violation of child rights in Kasur, the Office of National Commissioner for Children, working under the Wafaqi Mohtasib (Ombudsman)'s Secretariat initiated this research study. The overall objective of this initiative is to diagnose and investigate the issues and redress and rectify the systemic issues, by *inter alia*, putting-in place a need-based mechanism for the rehabilitation and re-integrating of minor victims of sexual abuse.

A holistic multi-pronged participatory approach involving a mix of qualitative and quantitative methodologies was adopted in this research study. The Administrative data of last 10 year (2008 – 2018) of the Punjab Police and the District and Sessions Court, Kasur as well as of the non-governmental organizations (NGOs), working in Kasur was procured. The primary data was collected through interviews with the 83 key stakeholders; including 41 percent guardian/relatives of minor victims; followed by 34 percent accused / convicts; 11 percent minor victims; and 14 percent other stakeholders, including the representatives of government and non-governmental institutions. The research revealed a drastic disparity in the socio-economic status and educational background of the accused and the victim families. About 92 percent of the accused were literate with 45 percent had formal education, while 70.59 percent of victims' relatives were illiterate.

The study of prevailing child protection mechanism reflects recent legal reforms in terms of criminalizing rape, unnatural offence, and sexual abuse against minors; and disclosure of the identity of minor victim of sexual abuse. The cybercrimes law criminalized child pornography; cyber stalking for the first time in Pakistan. The minor victims have legal right to free legal representation, where required; medical examination and in case of female victim by a female doctor; admissibility of Deoxyribonucleic Acid (DNA) test with mandatory provision relating its confidentiality. The Child Court is obligated to decide the cases within one month.

The welfare law, in addition to providing for the protection and welfare of children at-risk, criminalized the abatement or incitement of a child to escape from the custody of a person entrusted with the custody by the Court.

The laws have been enacted but their enforcement is a serious issue. As per police record, 272 cases had been registered out of which only 29.8 percent cases concluded with acquittal of accused in 27.2 percent and convictions in 2.6 percent, while 5.5 cases cancelled. The data of sub-ordinate Courts in Kasur reflects institution of 128 instituted cases in the last ten years. Of these cases 24.21 percent cases decided with acquittal and convictions in 87 and 12.9 percent cases, respectively. The overwhelming majority of 75.78 percent cases are lying pending / under trial. The reason for the pendency of 41.23 percent of these cases is the non-appearance of witnesses.

The root causes of the such incidents include *inter alia*, the overall deteriorating moral values; prevalence of illicit business including drugs; prostitution, easy access to pornographic video even to the children; mafias / gang trapping the minors into the vicious circle; and lack of awareness among masses of the potential harm to their children.

Major issues in the criminal justice system were observed at the investigation level due to corruption and inefficiency of the Police Officials; power play of the

landlords, politicians, etc., - protecting the criminals and influencing the justice process by pressurizing the victim families to withdraw their cases; compounding of the cases despite being non-compoundable offence; lack of free legal aid to the poor victim; lack of protection to the witnesses; negative role of legal fraternity in Kasur; sexual victimization of the accused in their early age; complete lack of psycho-social support mechanism for the rehabilitation of victims of sexual abuse; lack of healthy recreational activities for the children; and negligible role of NGOs in this regard. Political will of the authorities is another serious issue. High promises made in response to hype in international media after Zainab's case did not materialize.

In view of the above findings, recommendations have been made on the following lines: Short-term reforms, on priority basis include: (1) Establishment of 'One-Stop Facilitation Centers'; and development of Database of the DNA of criminals, suspects, etc., in Kasur.

While long term initiatives include legal reforms regarding the: (1) mandatory provision for the psychiatric and psycho-social support to the victims of sexual abuse and the accused; explicit prohibition to exonerate the accused of sexual offence; speedy trial of the cases of sexual abuse against minors; tracking system of the cases of sexual abuse against minors; their periodic data analysis; need for the protocol of the GOP with Google and Facebook Authorities for the prevention of cyber-crimes; improvement in educational system; awareness – raising; and skill development for the protection of children.

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Abbreviation & Acronyms

AJ&K	Azad Jammu and Kashmir
ATA	Anti-Terrorism Act
ATC	Anti-Terrorism Court
BHU	Basic Health Units
CEDAW	Convention for the Elimination of All Forms of Discrimination Against Women
CRC	Child Protection Courts
CPC	Child Protection Court
CPS	Child Protection System
CP&WB	Child Protection and Welfare Bureau
CRC	Convention on the Rights of the Child
Cr.P.C.	Criminal Procedure Code
DNA	Deoxyribonucleic acid
DHQ	District Headquarters Hospital
DPO	District Police Officer
FIA	Federal Investigation Agency
FIR	First Information Report
GOP	Government of Pakistan
HRI	Human rights institution
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
JIT	Joint Investigation Team
JJSO	Juvenile Justice System Ordinance, 2000
M.S.	Medical Superintendent

NCHR	National Commission on Human Rights
NPA	National Plan of Action
NGO	Non-Governmental Organizations
PPC	Pakistan Penal Code
PDNCA	Punjab Destitute & Neglected Children Act, 2004
PCPS	Punjab Criminal Prosecution Service
PFSA	Punjab Forensic Science Agency
SAARC	South Asia Association for Regional Co-operation
SHO	Station House Officer
SSP	Senior Superintendent of Police
THQ	Tehsil Head Quarter
UNICEF	United Nations Children's Fund
WM	Wafaqi Mohtasib (Ombudsman) of Pakistan
KII	Key Informant Interview

1. OVERVIEW OF THE REPORT

1.1. Introduction and Background

The office of Wafaqi Mohtasib (Ombudsman) of Pakistan (WM) has been established by virtue of *the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983*. It is a Human Rights Institution (HRI), vested with a mandate “*to diagnose, investigate, redress and rectify an injustice done to a person through mal-administration*”, which is expansively to include “*a decision, process, recommendation, act of omission or commission*”;ⁱ the raison d’être for establishing this office is to institutionalize a system for enforcing and fortifying bureaucratic accountability through formal and informal mechanisms of grievance redress. The systemic issues, relating vulnerable communities in the country, especially children are addressed through evidence-based recommendations to the concerned institutions.

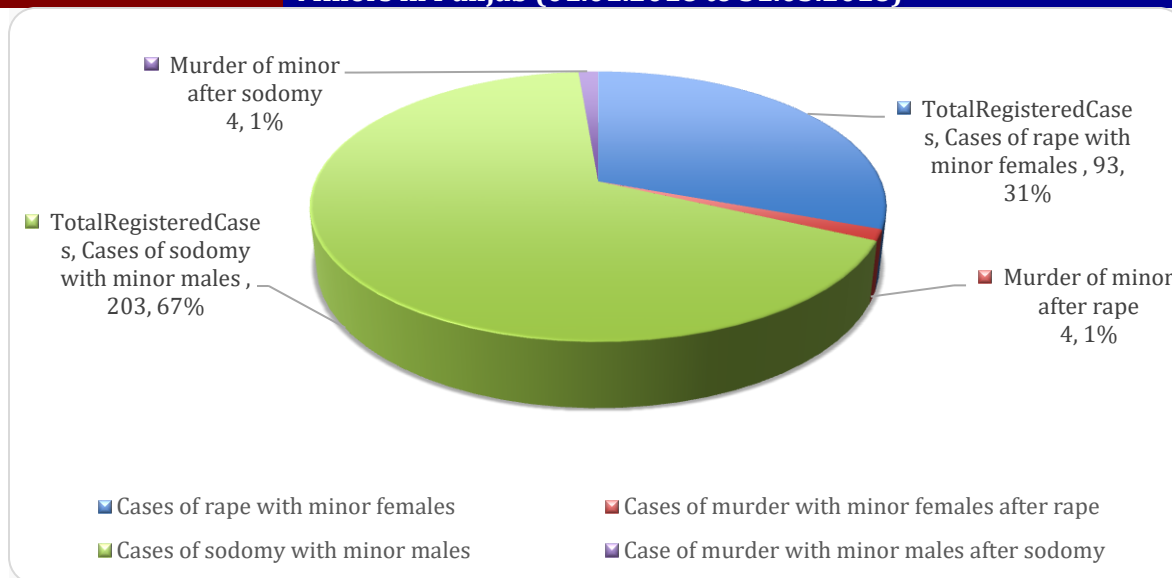
The sexual abuse of children is a global issue and Pakistan is no exception. An estimated 246 million girls and boys experience school-related sexual violence every year.ⁱⁱ Official statistics published annually reveals, 1 in 20 children in UK are sexually abused.ⁱⁱⁱ

In Pakistan, children of age 0-14 years constitute 35.4 percent of the total population of the country. As per HRCP report 2017, the ‘Cruel Numbers 2016’ released in March 2017 revealed sexual victimization of 4,139 children in varying degrees. The highest number incidents with 1,089 reported cases occurred in Punjab, followed by Sindh with 490 cases, 76 from Balochistan, 58 cases registered in Islamabad Capital Territory (ICT), while 42 cases in Khyber Pakhunkhwa and 9 from Azad Jammu & Kashmir.

The Administrative data of the cases of sexual abuse against minors (under 10 years of age) of three months (01.01.2018 to 31.03.2018), revealed total of 304 cases, of which 67 percent were of sodomy with minor males, followed by 31 percent cases of

rape with minor girls. The record further revealed victims' murder in 1 percent cases each of sodomy and rape. *See figure 1.*

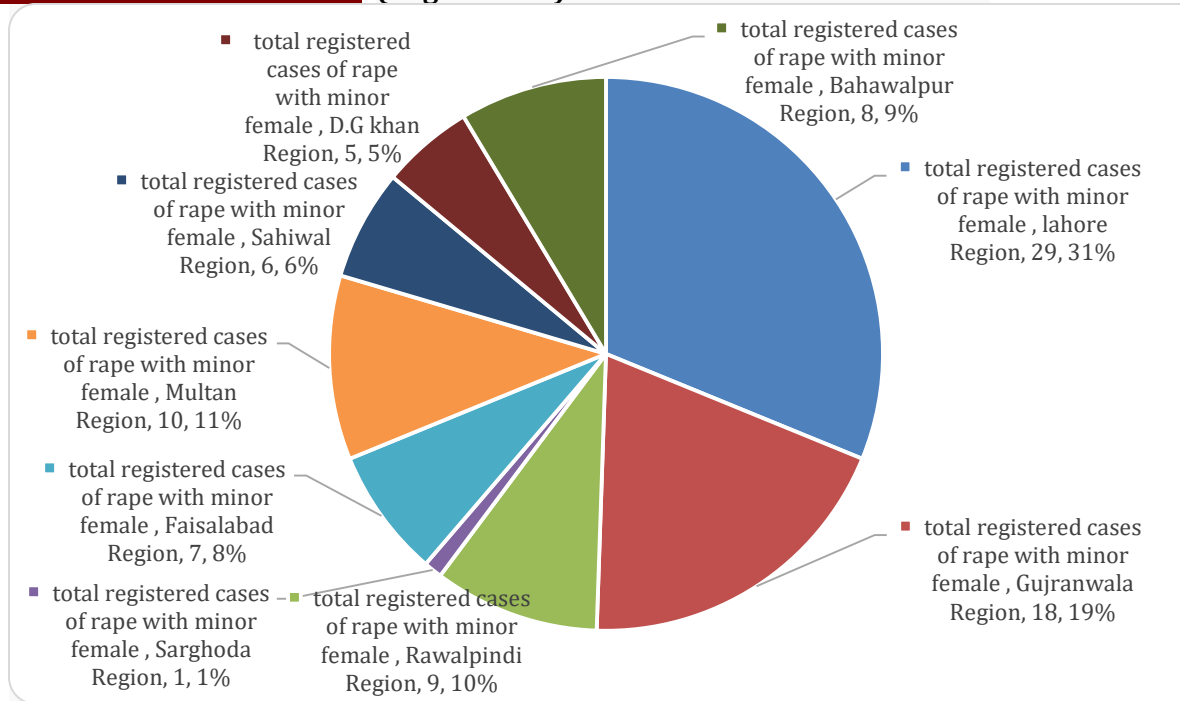
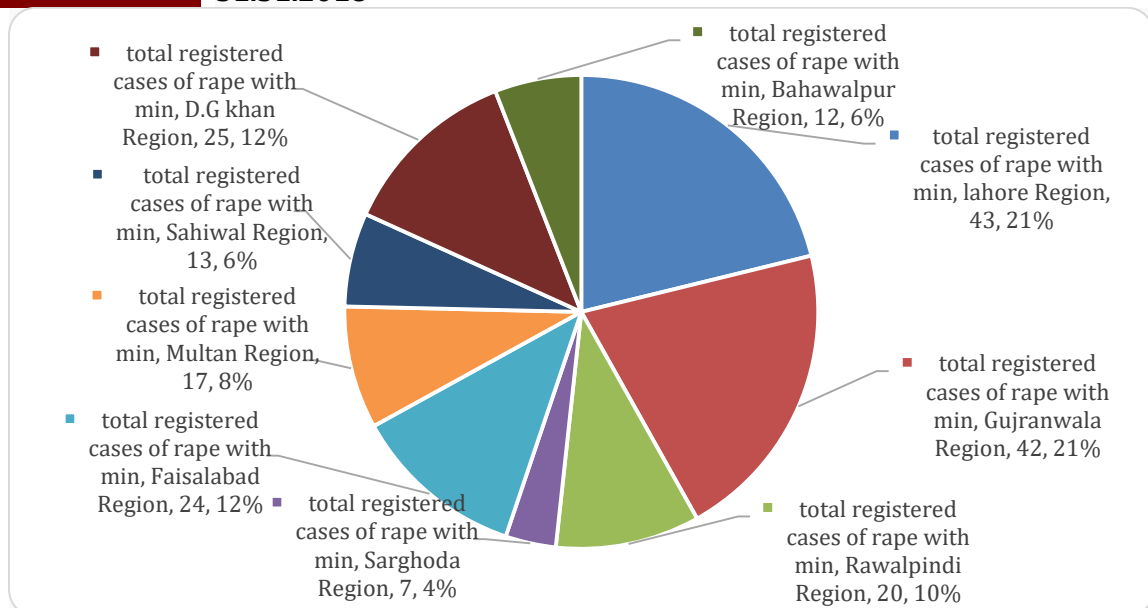
Figure 1 Cumulative Registered Cases of sexual Abuse and Murder of Minors in Punjab (01.01.2018 to 31.03.2018)



Within the province of Punjab, the number of reported cases of rape with minor girls constituting 19.35 percent was highest in Lahore, followed by 6.45 percent in Kasur as well as in Multan, then 5.37 percent in Gujranwala, Narowal, Rawalpindi and 4.30 percent each Rahimyar Khan and in Sialkot. *See figure 2.*

The cases of sodomy with minor males, constituting 12.8 percent was again highest in Lahore, followed by 7.38 percent cases in Gujanwala, 6.89 percent in Faisalabad, and 5.41 percent incidents registered in Muzaffargarh. In Rawalpindi and Kasur, however, it was 4.9 and 4.4 percent, respectively (*See figure 3*).

The highest number of cases in Lahore, as compared to other districts may be attributed to the size of population, making it 2nd most populous city in the country after Karachi and 32nd most populous urban city in the world.

Figure 2**Registered Cases of Rape with Minor Female in Punjab (Region-wise) from 01.01.2018 to 31.31.2018****Figure 3****Registered Cases of Sodomy with Minor Male from 01.01.2018 to 31.31.2018**

A number of fact-finding studies had been carried out with particular reference to sexual abuse of minors in Kasur. The videos scandal of Hussain Khanwala,

pertaining to sexual violence against children, blackmailing / extortion through pornographic videos sodomy, child abuse surfaced, in 2015, was investigated and reported by a Joint Investigation Teams (JIT).^{iv} This was followed by the investigation report relating incidents of sexual abuse against female minors (2015 to 2018) by District Police Officer (DPO), Kasur, Punjab,^v in addition to a series of reports by other public sector institutions such as National Commission on Human Rights (NCHR). The JIT in its report on Hussain Khanwala, mentioned hereinabove, recommended studies in this regard to streamline the efforts in eradication of this menace.

The redressal of systemic issues cannot possibly be addressed without a holistic understanding the child protection system, involving the policy, laws, criminal justice system and welfare system. With this in mind, the Office of the National Commissioner for Children, working under the Wafaqi Mohtasib (Ombudsman)'s Secretariat, Islamabad in collaboration with the United Nations Children's Fund (UNICEF), undertaken the research study.

1.2. Objectives of Research Study

The overall objective of this research study is to diagnose and investigate the systemic issue of sexual violence against children in Kasur and to develop a need-based mechanism for the protection and welfare of children in general and the rehabilitation and re-integration of minor victims of sexual abuse in particular.

1.3. Inception Meeting and Decision

The overall framework of the research is based on the preliminary consultation meeting with the multi-stakeholders on 19th January 2018 at Wafaqi Mohtasib (Ombudsman)'s Secretariat Islamabad, followed by a visit of the delegation comprising Federal and Provincial Commissioners for Children to District Kasur, Punjab on 22nd February 2018 to assess the situation. The final decision in this regard was unanimously taken in the multi-stakeholders' meeting held on 3rd March

2018, chaired by Senator Dr. S.M. Zafar, Chairman National Committee on Children, Wafaqi Mohtasib Secretariat. The detailed draft implementation plan of research on *'Mapping Issues and Response to Sexual Violence Against Children in District Kasur, Punjab'*, was accordingly submitted to the Task Force on "***Kasur Tragedy and Redressal of Systemic Issues***", by Syeda Viqar-un-nisa Hashmi, Research Team Lead and Secretary of the Task Force. The Task Force unanimously approved the said plan. (*Minutes of the Meeting, final recommendations, Approved Strategic Plan of Action and detailed work plan are attached as Annexes 'A', 'B', 'C', and 'D', respectively*)

1.4. Approach

A holistic multi-pronged participatory approach was adopted, while keeping in view the multi-dimensional aspects of sexual violence against children and sensitivity involved.

1.5. Methodology

A mix of qualitative and quantitative methodologies was employed. The administrative data was obtained from the District and Sessions Court, Kasur, Department of Police, Punjab and the Department of Social Welfare and Bait-ul-Maal, Punjab.

The primary data was collected through interviews with the target groups including minor victims of sexual abuse, their relatives and accused by using the semi-structured questionnaires. While Key Informant Interviews (KIIs) for in-depth information from other stakeholders and Focus Group Discussions (FGDs) were conducted by using the guidelines. The secondary data includes the reports from multiple sources, laws, policy documents, reported judgments, etc.

The process commenced with desk research, followed by field research involving use of a wide array of survey tools flexible enough to allow adaptation to local conditions required to explore the hidden and invisible aspect of sexual violence

against children and their repercussions. A research process was maintained to ensure the information generated by a particular research component would lead into the next step of the process.

1.6. Scope

The study involved mapping of the policy and legal provisions relevant to offences relating sexual abuse of children. This was followed by the mapping of the different components of system in place for the prevention and response to sexual violence against minors in Kasur. An attempt was made to identify the connections between them and their impact on the subjects.

1.7. Desk Review

The review and analysis of the constitutional provisions; criminal and welfare laws; policy documents; the international human rights standards / guidelines, as enshrined in the international instruments, especially the UN Convention on the Rights of the Child (CRC) were undertaken. The court cases; administrative data in addition to various reports including *inter alia*, the Joint Investigation Team (JIT) report on videos scandal of Hussain Khanwala, Kasur and Zainab

case of sexual abuse and murder, investigation reports on the subject, prepared by Human Rights Commission of Pakistan and other agencies as well as reporting on print and electronic media were studied.

Box 1	Documents Reviewed
Desk Review:	
<ul style="list-style-type: none"> • Laws • Policy documents • International standards • Administrative data • Court cases • Reported judgments of superior Courts • Reports 	

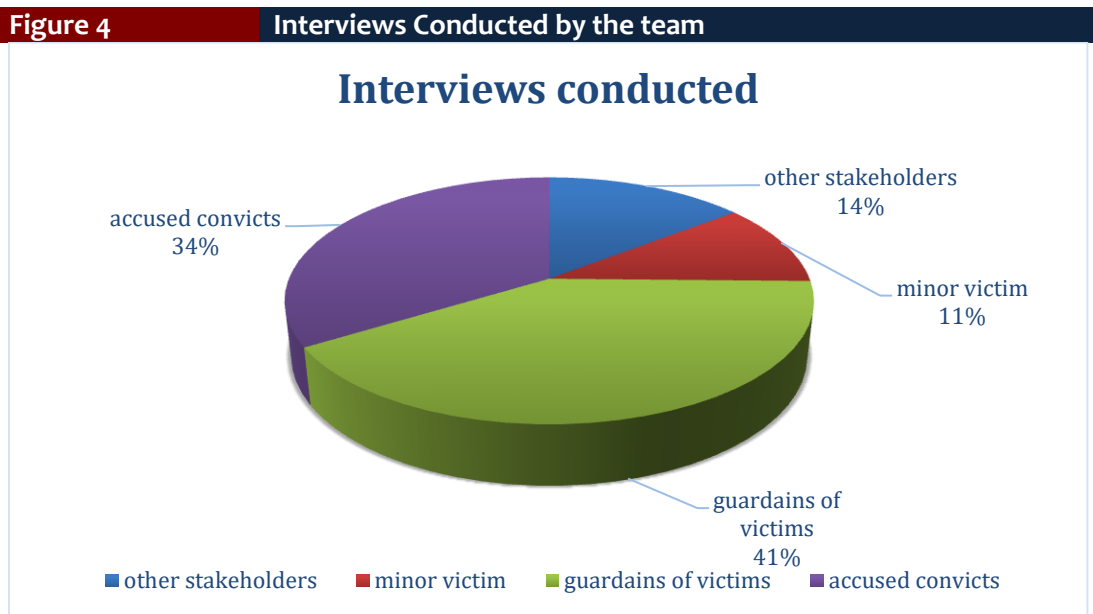
1.8. Field Research

The primary data was collected through semi-structured Interviews and KIIs with various categories of stakeholders, FGD, direct observation and analysis of statistics.

1.8.1 Geographic Scope and Sampling

The geographic scope of the research was limited to District Kasur. Nevertheless, some of the relevant key stakeholders based in Lahore, were also consulted and interviewed.

A total of 83 interviews had been conducted. This includes 41 percent semi-structured interviews of guardian/relatives of the minor victims; followed by 34 percent accused (in Kasur Prison) and convicts (detained in Lahore Central Prison, Punjab, Kot Lakhpat). The meeting with Imran Ali who is the convict in 8 cases of sexual abuse against children including Zainab, was not allowed due to high security concerns. *See figure 4.*



In addition to the above, interviews (KIIs) were conducted with 14 percent of other stakeholders including Hon'ble Mr. Sajjad Hussain Sindhar, District and Sessions Judge Kasur; Hon'ble Mr. Najam Saeed, Provincial Ombudsman (Mohtasib) Punjab; Syed Kaleem Imam, Inspector General of Police, Punjab and Mr. Muntazar Mehdi, District Police Officer, Kasur; Mr. Usman Anwer, DIG/Director, Federal Investigation Agency (FIA), and his team; Prof. Dr. Nazeer Ahmad Kahlu, Medical Superintendent

(MS), District Headquarters Hospital (DHQ), Kasur and his team, Ms. Kiran Director General, Child Protection and Welfare Bureau (CP&WB), Punjab and her team were conducted. The request for interview with District Police Officer (DPO) Kasur and Station House Officer (SHO) of five identified Police Stations of Kasur, was not responded, despite repeated reminders. The MS Services Hospital Lahore and Ganga Ram Hospital were contacted on phone. *See Table I.*

Table I	Sample Size
Category of Stakeholders	Total No. Stakeholders
Minor victims (5 girls & 4 boys)	9
Guardian of minor victims (Female:9 & male:25)	34
Accused / convicts	28
Hon'ble District Sessions Judge, Kasur	1
Hon'ble Mr. Najam Saeed, Provincial Ombudsman, Punjab	1
Syed Kaleem Imam, IGP Punjab and	
Mr. Muntazar Mehdi, DPO, Kasur	2
Dr. Usman Anwer, DIG/Director, FIA and his team	1
Ms. Kiran, DG, Child Protection & Welfare Bureau, Punjab	1
Ms. Hina Jilani, Vice President, Human Rights Commission of Pakistan	1
Ms. Dr. Nazeer Ahmed Kahlu, MS, DHQ, Kasur	2
Mr. Meher Rehman Senior Reporter of 92 Channel & Mr. Ausaf, Kasur	2
Telephonic interview with the President Ittifaq Foundation (NGO)	1
Total interviews	83

While the surviving minor victims participation in semi-structured interviews was 11 percent.

Initially, a representative sample of 30 percent victims, 30 percent relatives of victim and 20 percent accused was considered. However, practically it was not possible due to the sensitivity of issues involved, lack of willingness of the victim families for interview and re-location of most of the victim families after the incident. Therefore, an attempt was made to contact all victim families, as per administrative data of cases of sexual abuse from 01.02.2008 to 31.03.2018.

A total of six FGDs were conducted, one each exclusively with the victim families; Judicial Officers; and with other stakeholders including service providers, media, lawyers, representative of NGOs and school management. While three FGDs were conducted with the members of community of Kasur Saddar, Chunian and Patoki. The FGD with the community of Ganda Sindh was organized twice but the community refused to discuss the issues especially the video scandal of Hussain Khanwala. *See Table II.*

Table II	Focus Group Discussions
Category of Stakeholders	No. of FGDs
Relatives of minor victims of sexual abuse in Kasur	1
Community @1 FGD per Tehsil	3
Judicial Officers, Kasur	1
Multi-stakeholders (Duty bearers, representatives of CSOs and service providers, parliamentarian, etc)	1
Total interviews	6

1.8.2. Tools

Exclusive Performa were developed for the administrative data from Police Department, District and Sessions Court Kasur and the Department of Social Welfare and Bait-ul-Maal, Punjab.

Separate semi-structured questionnaires were developed for each category of the stakeholders, while guidelines for KIIs and FGDs were designed exclusively for each category of stakeholders.

1.8.3. Baseline Indicators

The key baseline indicators include *inter alia*, the child protection legal framework; violence indicator; homicide rate, sexually transmitted infections (STI) rate; protective environment indicators; environment – specific indicators; child protection system indicator, due process law indicators, with specific reference to investigation, capacity of duty bearers, resources, community trust indicators;

protection to victims and witnesses, timeframe for reporting, investigation, trial and decision in cases.

1.8.4. Pre-Testing and Finalization of Tools

The questionnaires were tested to identify any gaps and improvements. The questionnaires filled during this stage did not form part of the overall research sample of interviews.

1.8.5. Research Team

A gender-balanced team of 17 enumerators was hired from the Institute of Applied Psychology and Department of Social Works, University of Punjab. The team was divided into three groups, each with a group supervisor and a coordinator on the top of all 3 three-group supervisors. The enumerators were trained in:

- Rapport building for open sharing of information;
- Probing and questioning techniques for interview;
- Recording and moderating techniques;
- Understanding questionnaire and providing facilitation; and
- Ethical considerations for field research, e.g. obtaining interviewee consent, maintaining impartiality, confidentiality, trustworthiness etc.

In addition to the above, Mr. Akramullah was also assigned the task of compiling and processing the data by using SPSS.

1.9. Respondents' Profile

The respondents were profiled demographically and according to their gender, cast/ biradari, family system, educational background and socio-economic status.

1.9.1. Demographic Profile

About 48.1 percent of the accused were in the age bracket of 11-16 years, who were alleged to have committed sexual offence against 29.6 percent minors of age 5-9 years, followed by 11.1 percent against minors of 10-14 years; then 3.7 percent each with the minors of age group 15-18 years and under 5 years.

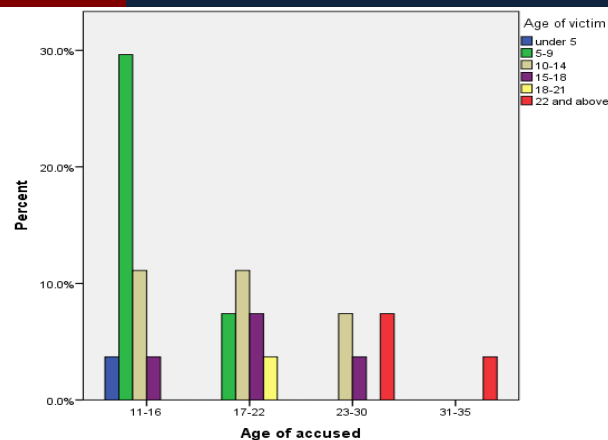
The second category of accused of age group 17-22, constituting 29.6 percent of the accused were alleged of committing offence against minors of age 10-14 years; followed by 7.4 percent each of age bracket 5-9

and 15-18 and 3.7 percent of age 18-21 years. The third age category of accused of 23-30 years alleged of committing offence against 7.4 percent of minors in age-group 10-14 years and 3.7

percent of minors between 18 to 21 years. The adult accused of age 31 to 35, constituting 3.7 percent of the total number of accused interviewed were accused of committing offence against 3.7 percent victims of age 22 and above.

Figure 5

Age of Victim versus the Age of Accused Interviewed



The interview with the parents/guardians of the victims substantiated the above analysis, as 50 percent of the minor female victims aged between 5 to 9 years, followed by 18.8 percent who were under 5 years of age, while 3.1. percent each of age group 10-14 and 15-18 years. While amongst the minor male victims 12.5 percent were of 10-14 years, followed by 9.4 percent of minor victims of 5-9 years and 3.1 percent under 5 years of age.

a. Gender of the Victim

The statistical analysis of the interviews with the victim families revealed that an overwhelming majority of 76.7 percent of minor victims was female, while 23.3 percent were male minors. The comparison of the analysis of the accused and the victim family reflects a clear divide. Majority of the apprehended accused were charged for offence against male minor victim, while the families who agreed for the interview were of victim of the sexual abuse against their female minors. The triangulation of versions of the accused, male minor victims, and the police record revealed the previous involvement of both the accused and the victim in illicit activities in many cases. The male minor victims who reported the incident were either caught red-handed or had been victimized for the first time. The families of the male victim of sexual abuse in Hussain Khanwala case did not participate in the interview or FGD. This could be because of influential accused and the poor victim families besides the previous involvement of the minor victims in the commission of offence, for which the families were black-mailed by the perpetrators .

b. Cast and Biradari of the Respondents

There was no issue between the casts or biradari in this regard as highest number of accused i.e, 35.7 percent belonging to the cast Araiens, were accused of committing offence against minors 14.3 percent of their own cast and the same percentage of other casts such as Mughal, Lohar, Sethies, Kambos etc. This finding was well substantiated in interviews with the victim families. However, in 7.1 percent cases the cast of victim was not known to the accused. The accused belonging to 14.3 percent Jatt were accused to committing offence against 10.7 percent minors, belonging to a range of other casts and in 3.6 percent of their own cast.

The accused from Meo cast, constituting 7.1 percent were accused of committing offence against minors of their own cast. While 42.9 percent of the accused belonging to diverse casts were accused of having committing offence against 25 percent minors belonging to different casts, followed by 10.7 percent of minors

whose casts were not known to them while 3.6 percent each of Arains and Jatts minors victims.

Figure 6 Caste / Biradari of Accused

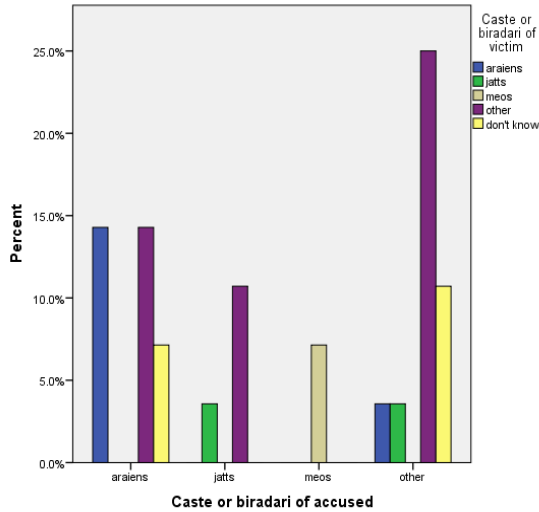
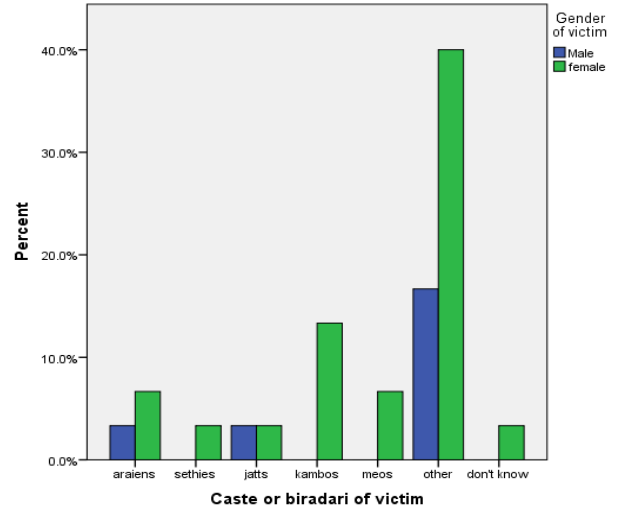


Figure 7 Caste / Biradari of Victim



c. Family System

About 86.26 percent of the accused had nuclear family and only 13.64 percent belonged to a joint / extended family system.

Figure 8 Family System of Accused

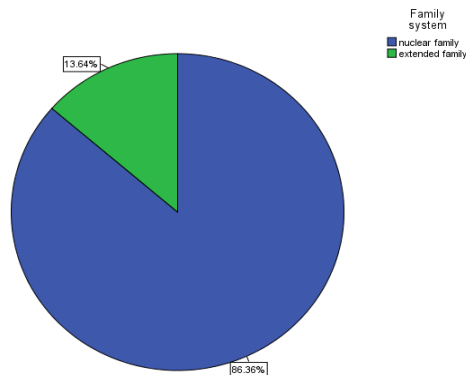
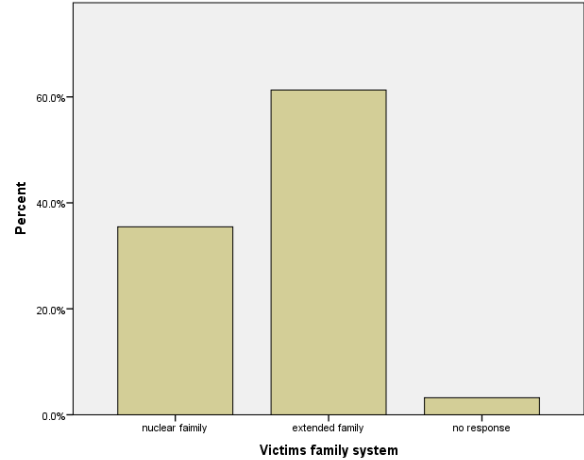


Figure 9 Victim Family of Victim



d. Marital Status of Accused.

An overwhelming majority of 85.71 percentage of accused was unmarried and only 14.29 percent were married.

e. Educational Background

About 92 percent of the accused were literate and had formal education, 45 percent of whom studied upto primary level, followed by 15 percent each upto middle, secondary and intermediate. One of the accused had done middle as well as passed some courses in madresshah as well. Only one accused who was the main convict in Hussain Khanwala video scandal case had done Masters in addition to studying LL.B. at the time of his arrest. Even in prison he was doing some courses and urged for the permission to continue his LL.B. from the Prison. One of his cousins who was also a convict in the same case was graduate.

Conversely, 70.59 percent of parent/guardian of victims were illiterate and 29.41 percent were literate. Amongst the literate, 40 percent attained formal education that too to the extent of maximum intermediate except just father of one victim who did Masters in Sociology. The remaining 40 percent had informal education.

Figure 10 Educational Background of Accused

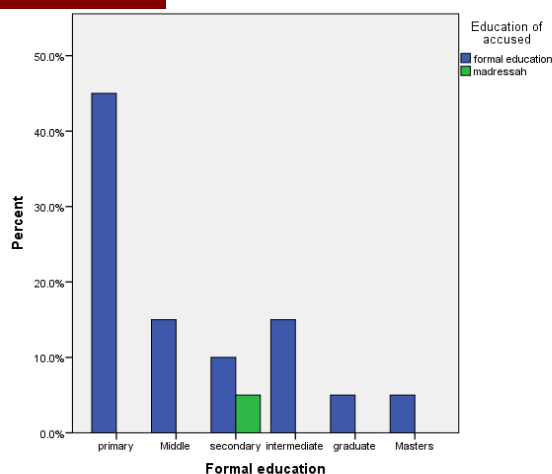
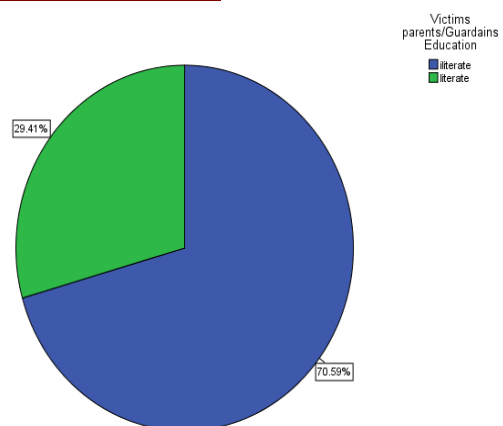


Figure 11 Educational Background of Victims' Parent/Guardian



iv. Economic profile

The analysis revealed that 67.86 percent accused belonged to lower-middle class, followed by 25 percent middle class, having land and house of their own and other properties. While 7.14 percent of accused, all of whom were related to each other and convicted in Hussainwala case of video scandal belong to well-off family.

Figure 12

Accused Families' Status

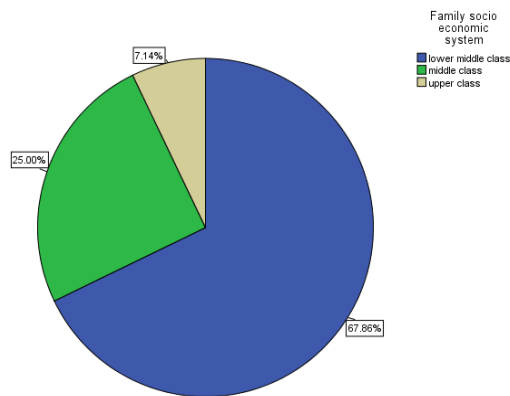
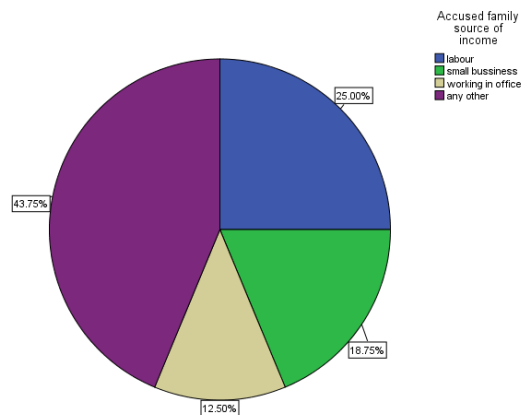


Figure 13

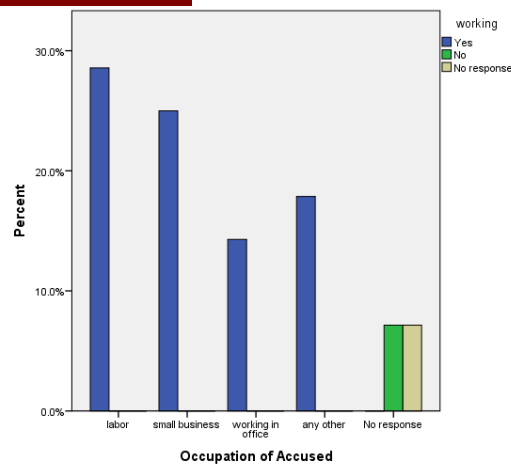
Accused Families' Source of Income



Over 50 percent of the accused were on job, especially in public sector. While, 43 percent had their own business, like dairy, running welding shop, etc. According to the main convict in Hussainwala video scandal case, his family owns 280 shops in addition to lands and participated in auction of agricultural lands costing millions of rupees.

Figure 14

Occupation of the Accused



Regardless of the age of accused, 85.7 percent accused were earning. Of these 28.6 percent were labourer, followed by 25 percent who had small business of their own and 14.3 percent were employed, especially in Public sector. About 17.9 percent had

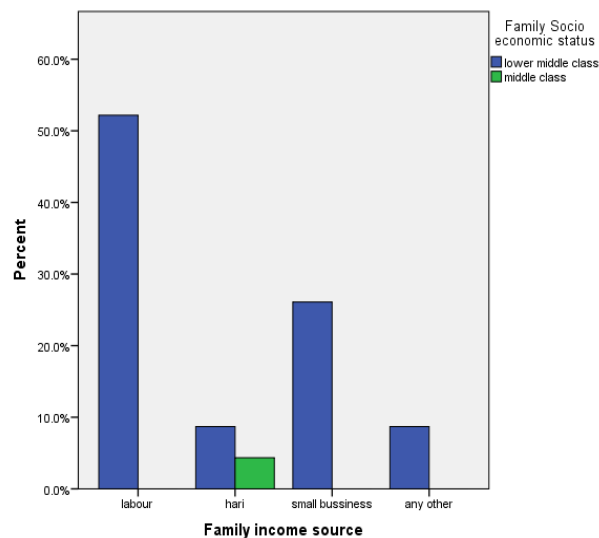
other sources of income such as grazing of cattle of others, etc. Surprisingly, majority of the minor accused of sexual abuse, despite being too young were running their business or working independently. One of the minor accused with no formal education was Imam of a mosque.

In comparison to the socio-economic status of the accused, an overwhelming majority of 95.7 percent of victim's family belonged to lower middle class and 4.3 percent middle class. About 52.2% of whom were labourer, working on daily wages, followed by 26.1 percent who were running small business such as cable operation, livestock, etc., while 8.7 percent were doing diverse nature of menial work in

the locality. Only 2.3 percent of such respondents considered themselves belonging to middle class as being government servants or doing job in Lahore and another one was arith - doing whole-sale business of vegetables in main vegetable market of Kasur.

Figure 15

Status of the Victim Families



1.9.2. Observation at Site

To ensure the validity and accuracy of data gathered during KIIs and FGDs, the Team lead visited selected institutions such as Prisons, Child Protection Bureau, DHQ and Court. The purpose of these visits was to triangulate FGD and interviews findings regarding the physical attributes of the institutions.

1.9.3. Data Entry and Analysis

The data of the questionnaires received from the field were entered in computer and analyzed using SPSS software. The quantitative analysis presented in the report includes percentages, comparisons, and averages, while qualitative data was transcribed to support the quantitative information gathered.

An analysis of the data showed crime pattern and response at all levels including family, community, Police Stations, hospital and Court. Consequently, results in the report are categorized based on these institutions and stakeholders encountered by the victims and their families.

1.10. Duration of Research Study

The total duration of this study was six months including preliminary desk review, followed by broad-based consultation meetings with the key stakeholders in Islamabad and Lahore, preparation of inception report and tools, selection and training of enumerators, coordination with the key stakeholders, followed by 5-week field research.

1.11. Challenges Faced During Field Research

The victim families from Tehsil Ganda Singh showed reluctance in discussing the video scandal of Hussainwala village. The situation was, however, mitigated by using multiple probing techniques to gauge meaningful responses. Additionally, information was also gathered through KIIs and literature review for triangulation.

Moreover, the field research was undertaken in a highly risky environment. The Office of Additional Inspector General of Police (AIGP) afforded limited security to the enumerators only on first day of field research. Therefore, the remaining field research was carried out with limited number of male enumerator and mostly by the Team lead herself to avoid any untoward situation with the team. The risk factor was mitigated to some extent by inviting the willing victims and their families for

interview at the office of Provincial Ombudsman (Mohtasib), Punjab District Office in Kasur. However, for FGDs, the reporters of channel 92 was contacted who extended great assistance in holding FGDs at secure venues and community mobilization to encourage their participation in FGDs. The delays in appointment with the key stakeholders and in procuring desired administrative data from the key institutions were also key factors in stretching the timeline for completion of the task.

1.12. Research Study Report

A comprehensive research draft report with clearly defined approach, data collection tools, research findings and recommendations as well as a comprehensive plan of need-based interventions for the support of victims and / or their immediate family members in Kasur was initially submitted to the Chairman of the Task Force on 'Kasur Tragedy & Redressal of Systemic Issues' and the National Commissioner for Children / Senior Advisor Appraisal, WMS for review. Later it was circulated to all the members of the Task Force for their feedback. The Task Force in its meeting dated 9th Sep. 2018 unanimously approved the draft report. *The copy of the minutes of the meeting is attached as Annex 'E'.*

The findings of the research study, duly approved by the Task Force will be presented in the Steering Committee meeting, chaired by Syed Tashir Shahbaz, Hon'ble Wafaqi Mohtasib of Pakistan. The draft report was well endorsed. *The copy of the minutes of the meeting is attached as Annex 'F'.*

2. CHILD PROTECTION SYSTEM

2.1. Conceptual Framework

The child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Box. 2

Definition of Child Sexual Abuse

The term "Child sexual abuse is the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. Child sexual abuse is evidenced by this activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. This may include but is not limited to:

- the inducement or coercion of a child to engage in any unlawful sexual activity;
- the exploitative use of a child in prostitution or other unlawful sexual practices;
- the exploitative use of children in pornographic performance and materials".^{vi}

The term "Child protection" is about protecting every right of every child and the Child Protection System (CPS), which can be formal and informal structures, functions and capacities, combined and coordinated to prevent and respond to violence, abuse, neglect and exploitation of children in a holistic manner.

The key components of this CPS include: human resources, finance, laws and policies, governance, monitoring and data collection as well as protection and response services and care management; key stakeholders of this system including

children, families, communities, those working at sub-national or national level and those working internationally; and their interaction and relationship *inter se*.^{vii}

The 2015 European forum on the rights of the child, had set ten principles for integrated child protection system”, involving *inter alia*, recognition, respect and protection of rights holder; non-discrimination; provision of preventive measures in the system; support to the families in fulfilling their responsibility as primary care-givers; awareness of child rights in the society; child protection system to embody safeguarding policies and reporting mechanism, standards, indicators and systems of monitoring and evaluation, training of professionals for working with children; transition and cross-border mechanism; full-time support and supervision of child by a legally competent person and training on identification of risk to teachers, health sector professionals and social workers; and safe, confidential and accessible reporting mechanism.

In a nutshell, the CPS, addresses the full spectrum of risk factors in the lives of all children and their families to protect children from all forms of abuse, violence, effects of war and conflict, neglect and abandonment, discrimination and exploitation as well as comprehensive care and/or rehabilitation to victims of child abuse and neglect.

2.2. Domestic Legal and International Normative Framework

The Constitution of Pakistan lays down the foundational concept of legal equality of citizens and holds that “all citizens are equal before law and are entitled to equal protection of law”.^{viii} Recognizing the special right of protection for children due to their vulnerability, reads that “nothing in this article shall prevent the state from making special provision for the protection of women and children”,^{ix} and stipulates that the state shall “make provision for securing just and humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex...”^x The education, being a basic human right has been made free

and compulsory education, by virtue of 18th Constitutional Amendment.^{xi}

The Pakistan Penal Code, 1860; the Code of Criminal Procedure, 1898, the Anti-Terrorism Act, 1997; the Juvenile Justice System Ordinance, 2000; the Prevention and Control of Human Trafficking Ordinance, 2002; and Prevention of Electronic Crimes Act, 2016 (PECA), deal with the offences of sexual violence against children.

The Punjab Destitute & Neglected Children Act, 2004 (PDNCA) - basically a welfare law providing for the rehabilitation and reintegration of children at-risk also embodies provisions, penalizing sexual offences against the minors. The Section 22 of this law provides for the establishment of child protection institutions including Child Protection Court (CPC) and Child Protection and Welfare Bureau (CP&WB) with for the care, protection and rehabilitation of destitute and neglected children below eighteen years of age.

The Bureau and child protection institution are obligated to establish 'Destitute and Neglected Children's Welfare Fund'. By virtue of this law, all Children Homes that were established and functioning under the Punjab Supervision and Control of Children Homes Act, 1976, repealed under this law,^{xii} are designated as Child Protection Institutions.

The destitute and neglected child under the above law include a child found begging; or orphan; or homeless child with no means of subsistence; or a child whose guardian is either unfit or incapacitated to take charge of child; or a child living in brothel or with a person leading an immoral life; a child at risk on account of disability, child labour; or is likely to be abused or exploited for immoral or illegal purpose; a child beyond the control of guardian; a child victim of offence and whose guardian is accused or convicted for the commission such offence. The child living with imprisoned mother also falls within the scope of this law.

2.3. International Normative Framework for Child Protection

The Government of Pakistan (GOP) is under an obligation to protect the children living on its territory not only because of its constitutional provisions and domestic laws, framed there-under but also in terms of international commitments, by virtue of the ratification of the *Convention on the Rights of the Child* (CRC);^{xiii} the *International Covenant on Civil and Political Rights* (ICCPR);^{xiv} and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR).^{xv} A brief overview of provisions of said instruments is as under:

2.3.1. The UN Convention on the Rights of the Child

The CRC, recognizes special care and assistance for childhood and assistance^{xvi}. The GOP, being a State Party to UNCRC is bound by its provisions *inter alia* to (a) take all appropriate legislative, administrative and other measures for the implementation of the rights enshrined therein;^{xvii} (b) in all actions concerning children, whether undertaken by public or private social welfare institutions, Courts of law, administrative authorities or legislative bodies are required to take action in the best interest of the child as a primary consideration;^{xviii} (c) to take all appropriate measures to protect child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian (s) or any other person who has the care of the child;^{xix} to protect the child from all forms of sexual exploitation and sexual abuse;^{xx} and to promote physical and psychological recovery and social reintegration of a child victim'^{xxi}

The GOP, being the State Party is committed to implement the convention's provisions through harmonized policies, legislation and plans of action, and to report progress to the UN Committee on the Rights of the Child every five years.

2.3.2. The International Covenant on Civil and Political Rights

This instrument re-enforces the right of every minor to measures of protection by virtue of his or her status as a part of his or her family, society and the State, regardless of race, color, sex, language, religion, national or social origin, property or birth.^{xxii}

2.3.3. The International Covenant on Economic, Social and Cultural Rights

The ICESCR requires the State Party to take special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination Children and young persons should be protected from economic and social exploitation... States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.^{xxiii}

Additionally, Pakistan is a party to three other international instruments aiming at directly or indirectly improving the rights of the child: the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW)^{xxiv}, the Declaration and Agenda for Action adopted at the issue of the World Congress against Commercial Sexual Exploitation of Children, signed in 1996, and reaffirmed by the Yokohama Global Commitment in 2001, and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Form of Child Labour Convention (C182).^{xxv}

The Optional Protocol to the CRC, providing for the prohibition *inter alia*, the sale of children, child prostitution and child pornography, has been signed and their ratification is in process. Other International and Regional Instruments on Child Rights include: (a) South Asia Association for Regional Co-operation (SAARC) Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia 2001; (b) SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002; (c) Sustainable Development Goals, 2000; (d) International Labour Organization (ILO) Convention on Worst Forms of Child Labor (No. 182) in 2001; and the ILO

Convention 138 on Minimum Age for Employment in 2006.

2.4. Policies

2.4.1. National Level

The GOP adopted some very important policy documents aimed to develop CPS in Pakistan such as: National Child Protection Policy and National Plan of Action for Children. A brief description of the said documents is as follows:

a. National Child Protection Policy

A comprehensive National Child Protection Policy has been prepared with the support of UNICEF in consultation with all relevant stakeholders i.e., Provincial Governments, relevant Federal Ministries, Government of Azad Jammu and Kashmir (AJ&K), Northern Areas and Civil Society Organizations.

The Policy provides for adopting legislative and regulatory measures for the protection of children from abuse and exploitation; enhancing administrative and institutional capacities at national, provincial and district level to effectively address the issues of protection and welfare of children; creating awareness through increased dissemination of information to the public on child protection through media; protection of children at local and community level by setting up child protection system; encouraging children's participation in the process and decisions affecting them; preventing of children from violence at homes, schools, workplaces and institutions.

It also embodies provision for ensuring child protection in emergencies like earthquake, floods and armed conflict, etc; encouraging birth registration at all levels; provision of child protection services like counseling, psychosocial services, legal assistance; establishing day care centers; publicizing help lines; educational and vocational services; justice for children in conflict with the law and establishing

child protection fund for protection of children living in poverty, exploited, abused or being victims of other type of violence.

b. National Plan of Action for Children

The National Plan of Action (NPA), officially adopted by the Federal Cabinet on 24.05.2006,^{xxvi} provides measures for the survival, development and protection of children from all forms of neglect, abuse, and exploitation. The goals and targets as set forth by the UN Special Session outcome document “A World Fit for Children” are well articulated in the NPA with a specific section that deals with protection of children from sexual abuse and exploitation.

The main strategic thrust of the NPA is on the political commitment, raising awareness, capacity building, advocacy, networking, social mobilization, enhanced allocation of resources, and setting up and strengthening functional structures and systems.

2.4.2. Province of Punjab, with specific reference to District Kasur

The total population of Punjab is 110.01m and the overall adult literacy rate (of 10 years and above), in Punjab is 71 percent and 55 percent among male and female, respectively.^{xxvii} Narrowing down the focus to Kasur District, it's population is 3,454,996.^{xxviii}

a. Child Protection Policy, Punjab [Draft]

The Government of Punjab is in the process of developing Child Protection Policy. However, the draft is not yet made public to discuss its contents.

2.5. Institutions and Structures

2.5.1. Health Services

The health services operate at primary, secondary and tertiary levels. At primary level District Headquarter Hospital (DHQ), Kasur provides health services across the

district. The patients are referred to DHQ Hospital, Kasur from THQ Hospital Chuniah and Pattoki (at secondary level), as well as 12 Rural Health Centers (at tertiary level).

The DHQ, Rural Health Centers (RHC), Tehsil Head Quarter THQ and some Basic Health Units (BHUs) with facility of gynecological treatment work round the clock, seven days a week. While, some BHUs work from 8.00 a.m. to 2.00 p.m., seven days a week.

On 06.10.2015, the National Commission on Human Rights (NCHR) announced the establishment of trauma, counseling centers for Kasur victims, ^{xxix} however, that initiative did see the light of the day, as yet.

The Social Welfare Department Kasur is carrying out some activities such as awareness-raising seminars/walks on child rights for the last two years in Kasur, in addition to the establishment of Shelter Home.

2.5.2. Educational System

The Kasur district has total 70 mosque schools with 1251 enrollment and 31 teaching staff. While 1061 Primary Schools (Boys: 533 and Girls: 528); 256 Middle Schools (Boys: 111 and Girls: 145); 146 High Schools (Boys: 86 & Girls: 60); and 17 Degree Colleges with 9622 enrolments and 281 teaching staff 281 are existing. Also there are 3 Post Graduate Colleges with 10066 enrolment and 149 teaching staff.

2.5.3. Criminal Justice System

a. Police Stations

There are 19 Police Stations across the District of Kasur. However, there is no facilitation desk with officer specifically trained to deal with the cases of minor victims of sexual abuse and refer to the appropriate service providers. According to Police Department, a multi-pronged strategy has been developed to deal with the issues. The female Officers have been designated to the special desk dealing with

minor victims. The victims are afforded medical and psychological counseling assistance besides being referred to service providers. The District Heads personally and / or through SP (Investigation) supervise every such investigation and conduct regular crime meetings on this serious issue.

The Police Department identified the issue of the capacity of the police force and urged for appropriate facilities for effective training relating handling the cases of minor victims, data collection and handling media. Presently 1-2 day training is provided to the Officers, which is not adequate.

b. Child Protection Courts (CPC)

There is no Child Protection Courts (CPC) in Kasur at present. However, under Section 22 of PD&NCA, the Government of Punjab has conferred power of Child Protection Court to Additional District & Sessions Judge. In-depth interviews and FGDs with key stakeholders revealed that proceedings of the cases of sexual abuse against minors take place in routine alongwith other cases. Practically there is no concept of *in-camera* proceeding or proceeding in Court in the presence of concerned parties only.

c. Juvenile Courts

There is no Juvenile Court in Kasur, however, by virtue of Section 4 of the Juvenile Justice System Ordinance, 2000, Additional District & Sessions Judges have been conferred the powers of Juvenile Court. Practically, the cases of juveniles in conflict with law are taken up in routine and no special procedure, as prescribed under JJSO is in practice.

d. Prison

The District Jail Kasur was established in 1929. The area of Jail is 32 acre 01 kanal 10 marlas, area of lines 01 acre, area of Jail colony 07 acre, 06 kanal, 15 marlas and area of agriculture 08 acre, 05 kanal, 10 marlas. Nevertheless, the jail is over

crowded as authorized accommodation of the Jail is 444 prisoners, whereas 1506 prisoners have been accommodated. The juveniles in conflict with law, belonging to three age-groups have been placed in separate barracks.

The inmates have been provided with the facility of formal education, religious education, vocational training as well as indoor and outdoor games.

In addition to medical facilities, Drug Rehabilitation Center has been established inside the Prison. The Prison, however, lacks the provision of psychiatrist and psychological treatment for the rehabilitation of the inmates.

e. Other Key Provincial Autonomous Bodies with set-up in Kasur

i. Public Prosecution Department, Punjab

The Punjab Criminal Prosecution Service (PCPS) was established to ensure prosecutorial independence, effective and efficient service for prosecution of criminal cases, better coordination in the criminal justice system and matters incidental thereto. This Body works under the supervision of the Government of Punjab.

Under the same Department, the Directorate of Inspection was established on 28.02.2008 but it became functional on 17.04.2009. Primary responsibility of the Directorate of Inspection is to conduct inspection of prosecutorial work and functions of the Prosecution Service in accordance with the act, rules and guidelines issued by the Department.^{xxx} Ms. Tahira Perveen d/o Noor Samad is serving as District Public Prosecutor, Kasur with a team of 3 Deputy Public Prosecutors and seventeen Assistant Public Prosecutor.

ii. The Reclamation and Probation Department, Punjab

This Department performs two main services i.e. Parole and Probation. Probation involves supervision of the offenders / convicts released by the Court orders. Likewise, upon conditional release of prisoners who have served a certain period of

their sentence in prison, while observing good conduct are supervised by Probation Officer.

iii. Punjab Forensic Science Agency

The Punjab Forensic Science Agency (PFSA), headed by Dr. Muhammad Ashraf Tahir, Director General, is working under the Home Department, Punjab. The PFSA has its Head Office in Lahore and eight Regional Offices in Faisalabad, Multan, Rawalpindi, Gujranwala, Dera Ghazi Khan, Sargodha and Bahawalpur.

The Agency offers complete services in the field of forensic science including: (1) Audio Visual Analysis; (2) Computer Forensic; (3) Crime Scene & Death Scene Investigation; (3) DNA & Serology; (4) Forensic Photography; (5) Narcotics; (6) Toxicology; (7) Trace Chemistry; (8) Polygraph; (9) Fire Arms & Tool Marks; (10) Latent Fingerprints; (11) Pathology; and Questioned Documents.^{xxxii}

2.5.4. Punjab Emergency Service (Rescue 1122)

This service works across the country with mission to establish an effective system for emergency preparedness, response, protection and prevention, while contributing towards building socially responsible, healthy, resilient and safer communities.^{xxxii}

2.5.5. Social Work Force

There are eight non-governmental organizations (NGOs) working in Kasur. The length of their service in the area ranges between five to twenty years. The focus of all these NGOs is on education. When the organizations providing psycho-social support and legal aid were contacted, their contact numbers were not responding. While, one of the organizations that participated in the FGD was unable to share any details relating the issues, work done for the victims of sexual abuse in Kasur, their organizational capacity and resources. Presently there is no international non-governmental organization (INGO) working in Kasur.

2.5.6. Monitoring and Information

As per report, the government has taken steps for establishment of an effective Child Protection Monitoring and Data Collection System. An assessment of the child protection monitoring and data collection system has been made in the country. However, practical details of progress in this regard couldn't be procured.

2.5.7. Referral Mechanism

Presently there is no formal referral mechanism in-place in Kasur.

2.5.8. Coordination Mechanisms

The coordination among the key institutions including police, FIA and welfare institutions was reported to be very weak. One of the senior official of law enforcement agencies admitted this fact and urged for some concrete measures in this regard.

2.5.9. Research and Data Analysis

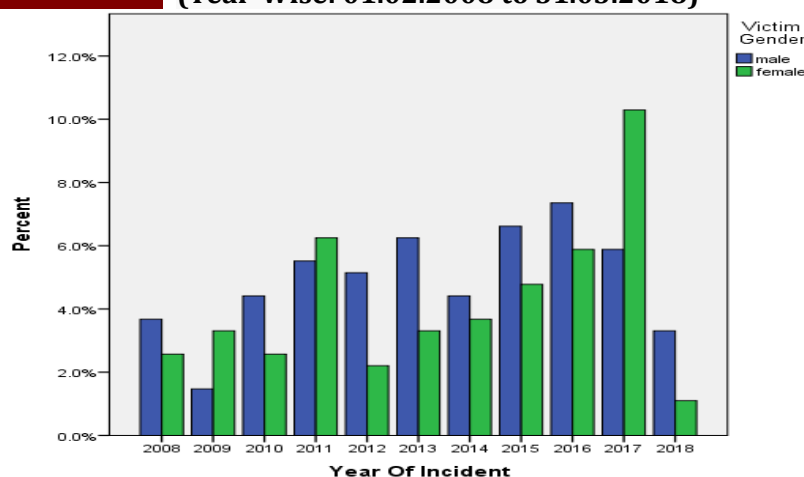
The key function of research and data analysis is to inform evidence based policy development and advocacy. The Punjab Police Department has computerized data of crimes in Punjab as well as the cases of sexual against children in Kasur specifically, though some necessary information relating the accused was found missing. This may be attributed to non-compliance of proper procedure at the time of arrest of accused, especially the preparation of arrest card. However, regular analysis of the crime data could be a useful tool in prevention and control of crimes but that doesn't seems to be a practice, across the country.

3. PREVALENCE OF SEXUAL VIOLENCE AGAINST MINORS IN KASUR

During the last decade total 272 incidents of sexual offence against minors reported in Kasur.^{xxxiii} The analysis reflects consistent increase in offences from 6.2 percent in 2008 to 16.2 percent in 2017 and in just 3 first months of 2018, 4.4 percent of the total number of incidents of sexual abuse against minors reported in the province belonged to Kasur.

The year-wise analysis reveals maximum 16.2 percent of crimes in the year 2017, followed by 13.2 percent in 2016, 11.8 percent in 2011, 11.4 percent in 2015, 9.6 percent in 2013, 7.4 percent in 2012, and 7.0 percent in 2010. While 6.2 and 4.8 percent cases were reported in 2008 and 2010, respectively.

Figure 16 Registered Cases of Violence Against Children (Year-Wise: 01.02.2008 to 31.03.2018)



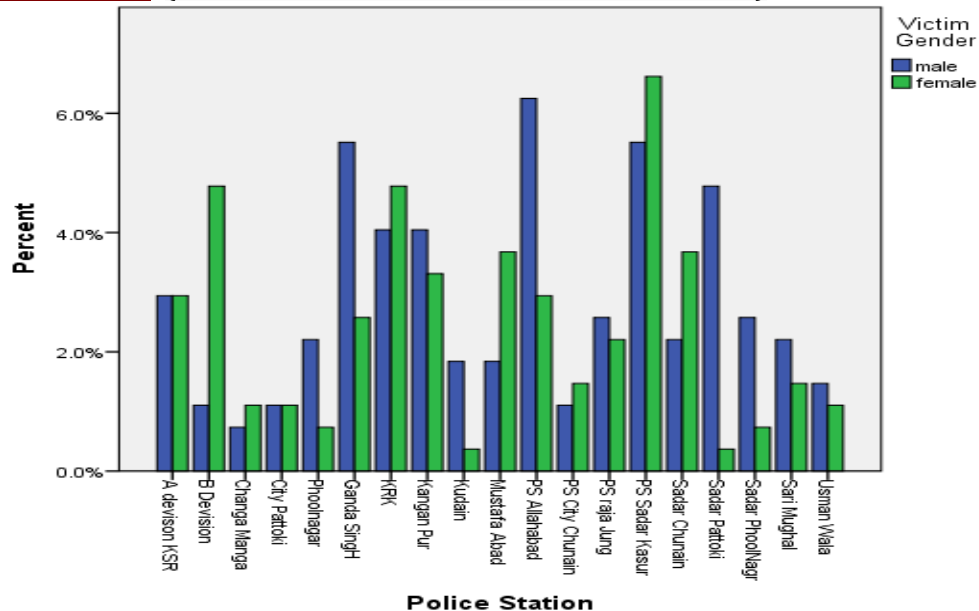
3.1. Police Station-Wise Reporting of Incidents

There are 19 Police stations in District Kasur and the jurisdiction-wise reporting of the incidents revealed frequency of 33 cases in Saddar Kasur, followed by 25 in Allahabad, 24 in Kot Radha Kishan, 22 in Ganda Singh, 20 in Kangan Pur, while 16 each in Division A, Division B and Saddar Chunia, 15 in Mustafabad, 14 in Saddar Patoki, 10 in Sarai Mughal, 9 in Saddar Phool Nagar, 8 in Phoolnagar, 7 each in

Usman Wala, Chuniah and 6 in Khudian while 5 each in Changa Manga and Patoki. See figure 17.

Figure 17

Registered Cases of Sexual Violence Against Children
(Police Station-Wise: 01.02.2008 to 31.03.2018)



3.2. Trend of Sexual Offence Against Minors

The percentage of sexual offence against the male minors in last ten years was 54 percent, as compared to the cases of minor females i.e., 46 percent. The trend reflects that since 2008 to 2016 the offence against minor males were comparatively more while in 2017 the offence against female minor increased drastically, as compared to male minors. However, in 2018 again the offence against male minors increased as against female minors. Analysis of the Police-station crime reporting indicates the commission of offence against minor females is more in B Division, KRK and Saddar Kasur as compared to all other Police Station that have more reporting of offence against male minors except A Division Kasur that has same frequency of offence against both the male and female minors.

The detailed analysis of the Police Station-wise record revealed A-Division and City Patoki had overall same frequency of offence against both minor male and females.

While Division B, Changa Manga, KRK, Chunah City, Saddar Kasur and Saddar Chunia had more incidents of offence against female minors.

In B-Division the cases against female minors were 81.2 percent with 31.2 percent in 2017 while 18.8 percent in 2014 and 12.5 percent in 2015, as compared to maximum 6.3 percent cases against male minors in 2008, 2013 and 2017. Changa Manga revealed 60 percent cases against female minors @ 20 percent in 2014, 2015 and 2016, as compared to 40 percent against male @ 20 percent in 2013 and 2016.

Likewise, KRK shows 54.2 percent cases of female minors as compared to 45.8 percent of male with maximum reporting of 12.5 percent of offence against females in 2012. Chuniah City had 42.9 percent cases against female minors only. Saddar Kasur had 54.5 percent cases of female minors as compared to 45.5 percent cases of male minors. Similarly Saddar Chunia had 62.5 percent cases of female minors and 37.5 percent cases of male minors. Conversely Saddar Patoki, Saddar Phool Nagar, Phool Nagar, Ganda Sindh, Kanganpur, Khudian, Mustafabad, Allahbad, Usmanwala, Sarai Mughal had more incidents of sexual violence against male minors as compare to female minors.

In Saddar Patoki 92.9 percent cases of male minors were reported as compared to 7.1 percent cases of female minor victims. Saddar Phool Nagar had 77.8 percent cases of male minor victims and 22.2 percent cases of female minors. Likewise, Phoolnagar revealed 75 percent cases of male minor victims @ 12.5 percent in the year 2008 from 2008 to 2010 and from 2013 to 2018. While 25 percent cases against female minors took place only in the year 2011.

Similarly, Ganda Sindh had 68.2 percent cases of offence against male minors as compared to 31.8 percent cases against female minors with maximum reporting against both minors @ 13.6 percent each and same percentage for male minors in 2016. Kangan Pur had 55 percent of cases of offence against male minors as compared to the case of female 45 percent. Khudian had highest 83.3 percent

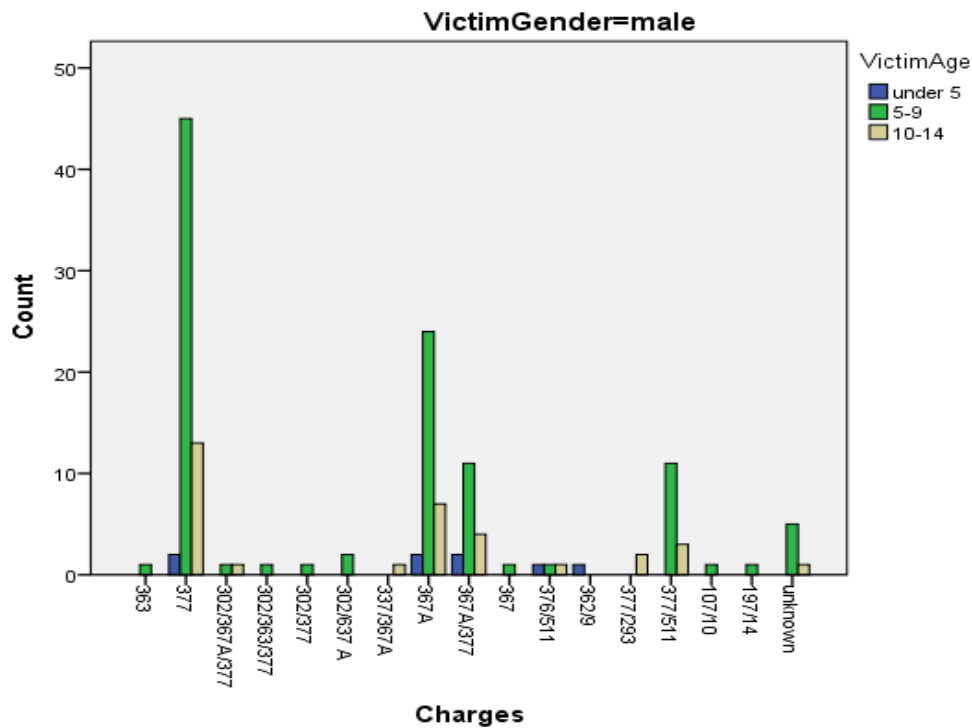
incidents of male minors as compared in 16.7 percent of offence against female minors and that too 3 years alternatively i.e. 2013, 2015 and 2017. The Mustafabad Police Station record indicated 13.3 percent cases only against male minors.

Likewise, Allahabad had 68.0 percent cases of minor male victims as compared to 32.0 percent of female minor victims. The maximum occurrence was noted in the year 2010 and 2017. Usmanwala 57.1 percent and 42.9 percent incidents of male and female minors, respectively. Sarai Mughal had 60 percent and 40 percent cases of offence against male and female minors, respectively.

3.3. Charges of Offence Against Minors

About 40.8 percent offences, committed against male minors were under 377 (sodomy); followed 22.4 percent of offence under Section 367A (kidnapping and abduction in order to subject the person to unnatural lust); 11.6 percent under Sections 367A/377 (kidnapping and unnatural offence); 9.5 percent under Sections 377/511 (unnatural offence and an attempt to commit an offence punishable with life imprisonment or a shorter term); 4 percent under Sections 302/367A / 377 (murder, kidnapping and unnatural offence); 2.0 percent under Sections 367/511 (kidnapping or abduction in order to subject a person to grievous hurt or slavery and an attempt to commit an offence punishable with life imprisonment or a shorter term); 1.4 percent each under Sections 302/ 367A (kidnapping and kidnapping in order to commit an unnatural offence), and 377/ 511 (murder and an attempt to commit an offence punishable with life imprisonment or a shorter term);

While 0.7 percent each under Sections 361 (kidnapping from lawful guardian); 362/ 367(abduction in order to subjection a person to grievous hurt or slavery); 302/363/377 (murder, kidnapping and unnatural offence; 302/377 (murder and unnatural offence; 107/10 (abatement); 197/14 (issuance of false certification by a government servant); while, 1.4 percent each under Sections 377/293 (unnatural offence and sale of obscene objects to young person).

Figure 18**Charges of Sexual Abuse Against Minor Victims**

The reporting of offences against female minors revealed 23.2 percent cases under Section 376 (punishment for rape); followed by 2.4 percent charges, each under Sections 377 363/376 (unnatural offence; punishment for kidnapping and rape); 363/376/511(punishment for kidnapping and rape and punishment for an offence punishable with imprisonment for life or shorter term); miscellaneous charges not mentioned in the official data; and 1.6 percent under Section 302/363 (murder and punishment for kidnapping).

About 0.8 percent each of offences under Sections 363 (punishment for kidnapping); 302/363/376 (murder, punishment for kidnapping and rape); 302/376/364A (murder, punishment for rape and kidnapping a minor under 14 years of age); 302/376/7ATA (murder, punishment for rape and punishment for act of terrorism); 363/364A/336A/324/382/7ATA (punishment for kidnapping or abduction of a person under fourteen years of age, hurt caused by coercive substance, attempt to commit qatl-e-amd, theft after preparation causing murder, hurt and punishment for an act of terrorism); 363/376/302/201 (punishment for

kidnapping or abduction of a person under fourteen years of age, punishment for rape, murder and causing disappearance of evidence of offence).

The above statistics also includes the sexual offence tried under anti-terrorism laws such as 367/7ATA (punishment for rape and punishment for an act of terrorism); 302/276 (murder and sale of drug as a different drug); 376/511/354A (punishment for rape and an offence punishable with imprisonment for life or shorter term; assault or use of force to stripping of clothes) 377/511 (unnatural offence and punishment for an offence punishable with imprisonment for life or shorter term); and 0.8 percent under Sections 107/10 (abatement of a person).

3.4. Pattern of Offence

The JIT report of 'Video Scandal Hussain Khanwala, Kasur', as well as the discussion with victim families revealed that certain gangs are operating in Kasur. Their members serve as baits to lure young boys in these carnal acts. They also trap the young boys by giving them gifts and money on regular basis and then showing them pornographic videos and later involve them in vicious circle. Similar pattern is followed in schools and madressahs.

In case of crimes against minor girls, it is mostly kidnapping on the way to shop, or to tuition center. The places of incidents were noted to be generally the under-construction buildings and the victim bodies, dead or alive were thrown close to the house of the victim. The timings for the kidnapping had been generally between 5:00 pm to 8:00 pm.^{xxxiv}

3.5. Period for the Recovery of the Victim

In about 61.3 percent cases, the victims were recovered the same day with overwhelming majority of 48.4 percent in the case of female minor as compared to 12.9 percent of male minor victim. While in 16.1 percent cases within 1-2 days, again with majority in female cases of 12.9 percent as compared to male in 3.2 percent cases. The duration was even 5-8 days in 9.7 percent cases, followed by 3-5

days in 6.5 percent cases with equal number of cases of female and male victims.

3.6. Status / Condition of Victim Minor Upon Recovery

As per administrative data, 36.7 percent minor victims, including 33.3 percent female and 3.3 percent were male, were recovered in a critical condition. While 33.3 percent including 30 percent female and 6.7 percent male, were found dead. Of 10 percent surviving victims, 6.7 percent were male and 3.3 percent female recovered alive and 16.7 percent of the minors were badly harassed when recovered.

Figure 19 Period of the Recovery of Victim

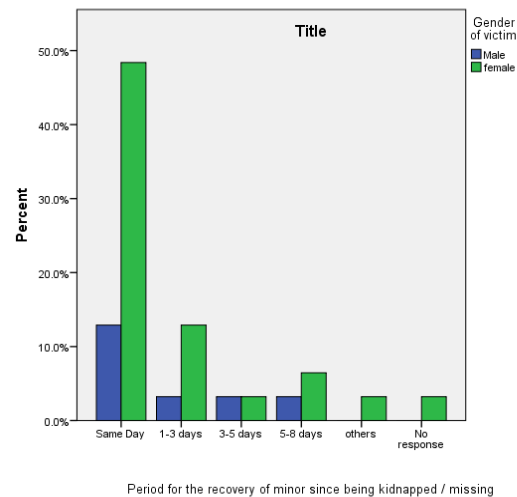


Figure 20 Status / Condition of Victims Upon Recovery

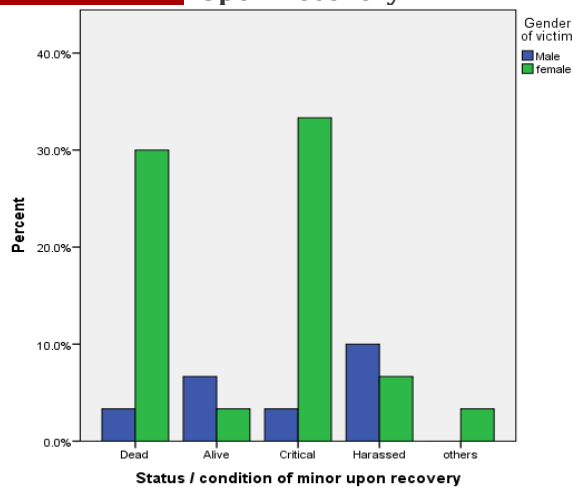
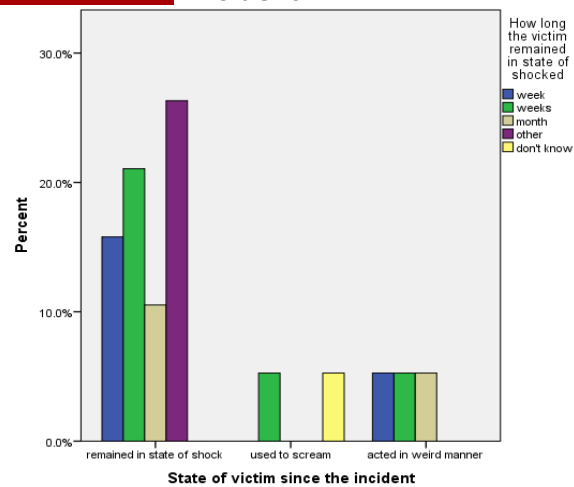


Figure 21 State of Victim Since the Incident

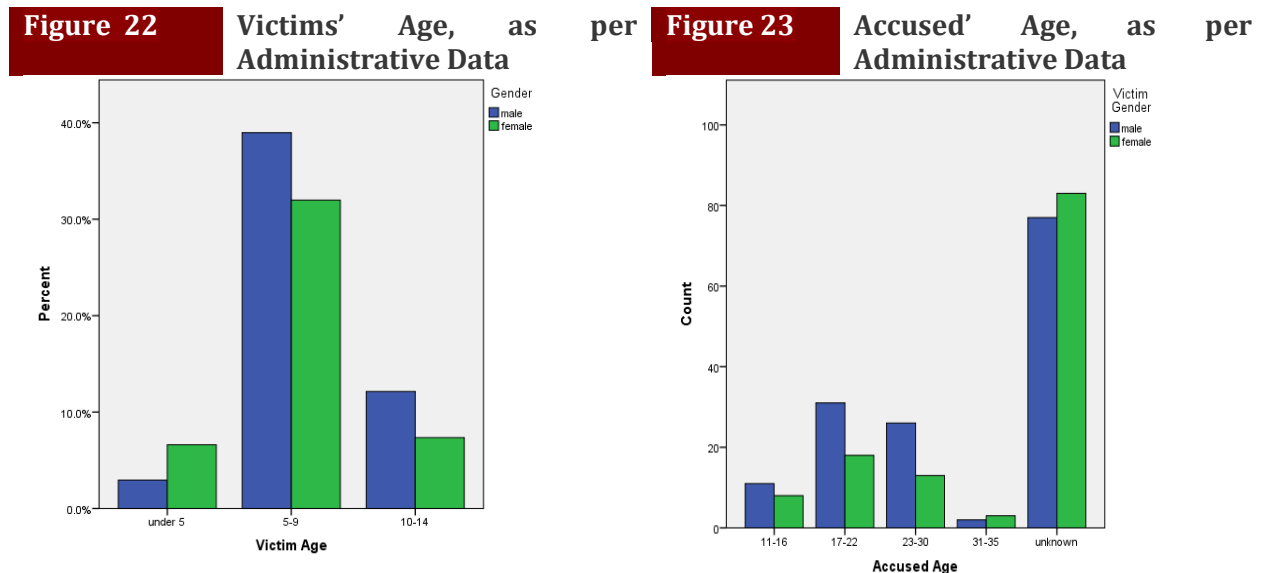


Detailed analysis revealed that 73.7 percent minor victims remained in a state of shock for months. About 15.8 percent of whom acted in a weird manner, such as scratching their body, drinking dirty water, etc., for weeks, while about 10.5 percent

of them used to get scared and start screaming. Some prefer to stay quiet for hours and hours.

3.7. Age of Victim and Accused

An overwhelming majority of 71 percent victims belongs to age bracket 5-9 years, followed by 19.5 percent of 10-14 years and 9.6 percent of under 5 minors. While 18 percent of the accused were of age group 17-22 year, followed by 14.3 percent of age bracket 23-30 years; 7.0 percent of 11-16 years while 1.8 percent of 31-35 percent. The age of about 58.8 percent accused was missing in the police record. This may be attributed to incomplete arrest card, as generally standards are not followed.

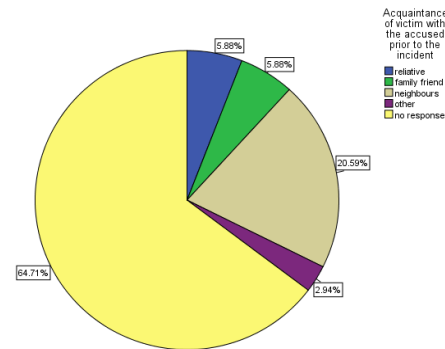


3.8. Acquaintance of the Accused and the Victim

In about 88.2 percent cases, the relationship between the accused and victim was not mentioned in Police data. However, the analysis of the available Police data revealed that in 5.5 percent cases the both were related to each other; followed by 3.7 percent of cases in which both were neighbour; while in 1.5 percent cases both victim and accused belonged to the same village and had acquaintance; followed by 0.7 cases of teacher and student relationship. Likewise in 0.4 percent cases of Imam masjid and the child used to go for reading of Holy Quran.

During the course of interviews, however, 64.71 percent respondents refused to respond to this query while 20.59 percent of them disclosed neighbours, followed by 5.88% family members and other relatives each as offender.

Figure 24 Acquaintance of Victim with the Accused



3.9. Cast / Biradari of Accused and Victims

As per administrative data of Punjab Police, about 16.2 percent and 35.7 percent of victims and accused, respectively were Araiens. Likewise, 4.8 and 14.3 percent victims and accused, respectively were Jatt and 5.9 percent victims and 7.1 percent accused were Meo. The cast of about 42.9 percent accused was not mentioned in Administrative data. However, amongst victims 14.7 percent were Rana, Rajput and Bhatti; followed by 8.8 percent Ansari; 6.6 percent Malik; 5.5 percent Sethis;; 4 percent Khokar; 4.8, 3.7 Gujar; and 2.9 percent Mugha were significant. While 4.8 percent were non-Muslims. *See figures 25 and 26.*

Figure 25 Cast / Biradari of Victim

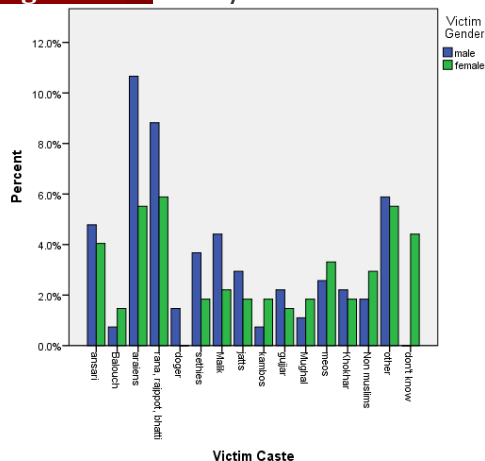
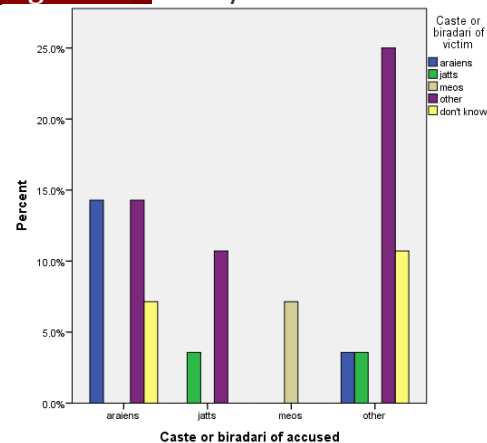


Figure 26 Cast / Biradari of Accused



4. RESPONSE TO SEXUAL OFFENCE AGAINST MINORS IN KASUR

4.1. Legal Reforms

The legal reforms with particular reference to the prevention of sexual violence against children were made after the surfacing of Kasur video scandal in 2015. The most significant is the Crl. Law (Amdt.) (Offences Relating to Rape) Act. XLIV of 2016, causing insertion of following provisions in Pakistan Penal Code, 1860 (PPC) and the Code of Criminal Procedure, 1898 (Cr.P.C.):

4.1.1. Criminalization of Sexual Crimes Against Children

A run-down of legal provisions for the protection and prevention of offences (especially offence against minors), of the aforementioned laws is as follows:

a. Rape

There is no specific provision to deal with the offence of rape in the case of minor victim earlier, therefore, this crime was charged under Section 375, PPC which explicitly provided for sexual intercourse of man with a woman. Under the same provision, through amendment, the sexual intercourse with a girl under sixteen years of age is treated as rape, regardless of her consent. Further, the offence of rape with minor or with a mentally or physically challenged person is now punishable with death or life imprisonment and fine. In case of gang-rape each offender shall be awarded the same punishment.^{xxxv}

b. Unnatural Offence

Like the legal provision relating rape, the offence of sodomy in the case of minor victim is charged under Section 377 of PPC, which is specifically meant for man, woman and animal. This punishment for this offence is imprisonment of either description for a term which is neither less than two years nor more than ten years in addition to fine.

c. Sexual Abuse

This offence includes employing, using, forcing, persuading, inducing, enticing or coercing any person to engage or assist any person in *inter alia* fondling, stroking, caressing or any sexually explicit conduct or stimulation thereof regardless of the consent of child under eighteen years of age. This offence is punishable with imprisonment of either description for a term, which may extend to seven years or a fine not less than seven hundred thousand rupees or both.^{xxxvi}

The Prevention of Electronic Crimes Act, 2016 (PECA), criminalizes the intentional display or exhibition or transmission of the photograph of a natural person over any sexually explicit image or video; or a video of a person in sexually explicit conduct; intimidation of a natural person with any sexual act, or any sexually explicit image or video of a natural person; and inducing a natural person to engage in a sexually explicit act.

The punishment for use of information system for above offences against minor is imprisonment to the extent of seven years or with fine upto five million rupees. In case the offender had been convicted with respect of above offence against minor the imprisonment is for a term of ten years and fine.

The guardian of a minor victim has an option to apply to Authority for removal, destruction of or blocking access to the above information.^{xxxvii}

d. Child Pornography

The use of information system to produce, offer or distribute, transmit or procreation of material that visually depicts a minor or a person appearing to be a minor, or realistic image representing a minor engaged in sexually explicit conduct or disclosure of the identity of the minor.^{xxxviii}

e. Cyber Stalking

This implies use of information system network including internet, website, electronic mail or any such means of communication with intent to coerce or intimidate or harass against the will of that person; monitoring or spying the use information system by that person leading meant to disturb such person and even taking of photograph or visual recording and its distribution without the consent of that person. The said acts are punishable with imprisonment or fine to the extent of three years and one million or with both.^{xxxix}

f. Human Trafficking

The Prevention and Control of Human Trafficking Ordinance, 2002, criminalizes any knowledge plan or execution thereof for human trafficking into or out of Pakistan meant to take benefit or for exploitative entertainment, slavery or forced or adoption in or out of Pakistan. The said acts are punishable with imprisonment to the extent of seven years and fine. In case of accused also guilty of kidnapping or abduction or attempt thereof, the imprisonment may extend to ten year with fine. In case an organized criminal group commits the above offences for exploitative entertainment purposes then the punishment may extend to fourteen years but not less than ten years in addition to fine.

The Punjab Destitute & Neglected Children Act, 2004 (PDNCA) is basically a welfare law providing for the rehabilitation and reintegration of children at-risk also embodies provisions penalizing offences against the minors. This law provides for the establishment of child protection institutions including Child Protection Court^{xl} and Child Protection and Welfare Bureau with for the care, protection and rehabilitation of destitute and neglected children below eighteen years of age.

The Bureau and child protection institution are obligated to establish 'Destitute and Neglected Children's Welfare Fund'. By virtue of this law, all Children Homes that were established and functioning under the Punjab Supervision and Control of

Children Homes Act, 1976, repealed under this law under Section 51 of PDNCA, are designated as Child Protection Institutions.

The destitute and neglected child under this law includes a child found begging; or orphan; or homeless child with no means of subsistence; or a child whose guardian is either unfit or incapacitated to take charge of child; or a child living in brothel or with a person leading an immoral life; a child at risk on account of disability, child labour; or is likely to be abused or exploited for immoral or illegal purpose; a child beyond the control of guardian; a child victim of offence and whose guardian is accused or convicted for the commission such offence. The child living with imprisoned mother also falls within the scope of this law. The PDNCA penalizes the following crimes against the children:

The unauthorized custody of minor under this law with imprisonment to the extent of five years and minimum three months and fine upto one hundred thousand rupees but not less than ten thousand rupees.^{xli}

Inciting a minor to sell goods for the purpose of begging is punishable with imprisonment which may extend to three years but not less than three month and fine to the extent of one hundred thousand rupees and minimum ten thousand rupees.^{xlii}

The act of intoxicating a child, except on the prescription of doctor is punishable with imprisonment to the extent of seven years and not less than six months. This is in addition to fine of rupees three hundred rupees but not less than fifty thousand rupees [Section 37]. Allowing child to enter place where liquor or narcotic drugs are sold is an offence punishable with imprisonment upto five years but not less than three month with fine upto one hundred thousand rupees. The minimum limit of the said fine is twenty five thousand rupees.^{xliii}

Inciting a child to bet or borrow is punishable with imprisonment upto six months or with fine to the extent of fifty thousand rupees or both.^{xliv}

Abetting or inciting a child to escape from the custody of an institution or a natural person entrusted with the custody of said child by the Court; or conniving or preventing the child from returning to the said custody is punishable with imprisonment to the extent of five years or fine upto fifty thousand rupees or both.^{xlvi}

4.1.2. Rights of Minor Victims

a. Legal representation of victim of rape, etc.

Where an offence under section 354A, 376, 377 & 377B has been committed or attempted to have been committed after recording of information under section 154 shall inform the victim of his right to representation. In case the victim needs free legal aid the police shall provide him with a list of lawyers maintained by Provincial Bar council for this purpose.^{xlvi}

b. Medical Examination of Victim of Rape

In case offences sexual abuse including rape, unnatural offence or attempt thereof under section 376 to 378 is under investigation, the victim shall be examined by a registered medical practitioner immediately after the commission of an offence. In case of a female victim the medical practitioner has to be a female.^{xlvii} The female victim has to be escorted by a female police officer or female family member. from the place of her convenience to the place of medical examination.^{xlvi}

c. DNA Test

In sexual offence under section 376, 377 and 378 alleged to have been committed the Deoxyribo Nucleic Acid (DNA) sample is required to be collected with the consent of the natural or legal guardian of the victim and the accused and sent to Forensic Laboratory. The confidentiality of DNA test needs to be observed at all times.

d. Disclosure of the identity of the victim of rape, etc.

The printing and publishing of name or matters that may disclose the identity of the victim of sexual offence under sections 354A, 376, 376A, 377 and 377B is an offence unless authorized in writing by the victim. The punishment of the said offence is imprisonment of either description for a term to the extent of 3 years and fine.^{xlix}

e. Speedy Trial

The Child Protection Court is under an obligation to decide the case within one month from the date of the production of minor before it. There is no provision of appeal against its order. The Court may, however, at any stage itself recall or modify its decision. While the statutory time limitation for the trial of case under JJSO is 4 months.

f. Complaint Cell of Chief Minister House

In January 2018, the Chief Minister of Punjab, ordered setting up of a separate desk in the Complaint Cell of the CM House where complaints of crime against children would be entertained. The phone numbers 021-99202080-1, 99207394, 99207568 have been designate for this purpose. He directed the complaint cell duty officer to forward such complaints to the concerned police station, and also send him on his WhatsApp number so that prompt, coordinate and strict action could be taken.

g. Child Protection Curriculum

In February, the Punjab government launched 24-point booklet regarding safety of children for distributed to teachers and parents to introduce child protection curriculum in all schools of the province. This initiative was taken for safeguarding children, after riots erupted in Kasur over the rape and killing of a seven-year-old girl in Kasur.¹

h. Deoxyribonucleic Acid Database

On 13th January 2018, the a 20-member committee, headed by Punjab Chief Minister (CM) Shehbaz Sharif Government of Punjab announced to develop the

database of Deoxyribonucleic acid (DNA) for quick tracing of the offenders of sexual abuse. The proposal couldn't witness the light of the day as yet.

The Task Force on 'Kasur Tragedy and Redressal of Systemic Issues', constituted by Office of the National Commissioner of Children, working under Wafqi Mohtasib (Ombudsman)'s secretariat, Islamabad, pursued this matter with the National Database and Registration Authority (NADRA), especially with reference to Kasur as a test case that could be replicated, gradually. The representative of NADRA, considered the proposal doable and expressed full support in this regard. Nevertheless, the Punjab Police and Punjab Forensic Science Agency (PFSA) is required to provide the DNA reports. This matter needs serious political will at both the Federal and Provincial levels.

i. Installation of CCTV cameras in Kasur

In response to the situation of sexual violence of minors and their murders, the Chief Minister of Punjab announced installation of CCTV cameras in Kasur as a means to prevent the pedophilia. The CCTV cameras will be connected to an integrated Command, Control and Communication Centre.^{li}

j. Initiatives by the Police Department

The Department of Police took following measures for the prevention and control of crimes against minors in Kasur:

- 1.** In order to promote the awareness of child abuse among public, meeting were held with the trade community, Civil Society Organizations, Principle of Schools, etc. The parents were advised to prevent the children from going out and keep close surveillance of their minor children and children were briefed to inform their parents whenever anyone tries to abuse them.

2. A control Room was established in Kasur District with the objective to receive calls of abuse; to analyze the incoming calls and encourage the people to share secrete information about the accused.
3. Formulation of comprehensive strategy to multiple scientific tests in relevant affected areas. The DNA tests of approximately 1150 prime suspects were conducted in 19 census blocks of the vicinity of affected areas.^{lii}

5. ANALYSIS OF THE KEY ISSUES

The problem of sexual abuse against children in District Kasur, Punjab is very complex. Multiple factors including *inter alia*, the deteriorating moral values, poverty, lack of awareness of the rights and need for safety of children, widespread illicit business including drugs, prostitution, easy accessibility of pornographic videos, protection to criminals by the high-ups, sub-standard educational system, weak institutions, corruption, lack of trust in the criminal justice system, false promises of the politicians but devoid of political will are cumulatively responsible for present disastrous situation.

The most serious concern is the everlasting damaging repercussion on the life of the minor victims and their families. There is complete lack of the initiatives for the rehabilitation and re-integration of the minor victims in Kasur. Realistically speaking, the approach of response to the violation of child rights is subject to highlight in international media, with no lasting impact. The highlight of Zainab's case in global media proved to be a compelling factor for the law enforcement agencies to arrest the accused, who was living in the neighbourhood of the victims of atleast seven other minor victims and in respect of whom the FIR were lodged from 2015, 2016 and 2017. Zainab's case was decided speedily, while scores of cases are lying pending since years.

The detailed analysis of the research findings is discussed as under:

5.1. Child protection legal framework and its implementation.

The legal reforms especially, in terms of the enactment of Criminal Law (Amdt.) (Offences Relating to Rape) Act. XLIV of 2016, dated 22.10.2016 and the Prevention of Electronic Crimes Act, 2016 (PECA), discussed in detail in Chapter 4, are important in criminalizing sexual acts against minors and vesting the minor victims with the rights. However, the impact of said laws hasn't been observed on the rate of offence against minors and in support of them, especially in Kasur.

As far as the reporting of crimes is concerned, that doesn't seem to be a serious issue in Kasur, as compared to the other parts of the country. Except a couple of cases, the FIRs had been lodged promptly. This may be due to Complaint Cell of Chief Minister House. But action on the FIR and tracking of the case is then a serious issue.

The socio-economic profiles of the victim families, discussed in Chapter 1, clearly reflects the inability of the families to afford a lawyer but during the course of field research there was not even a single victim family who reported to have been provided with free legal aid at the expense of the Court or by the NGOs. Therefore, many of the victim families had been put in contact with Sahil (an NGO) to provide them with legal aid in addition to medical and psycho-social support, as immediate relief under the circumstances.

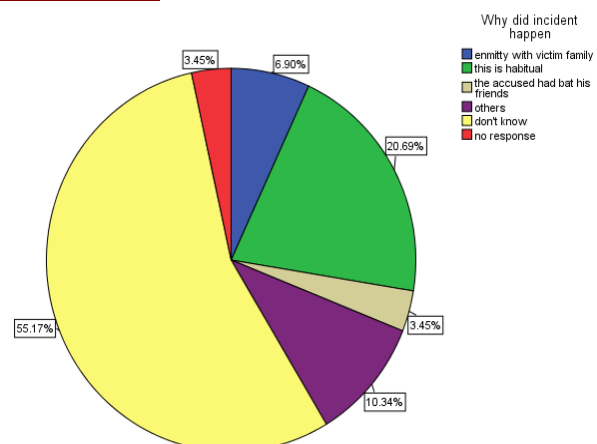
There is no time limit for the conclusion of trial involving minor victim of sexual offence. However, statutory timeframe for the conclusion of trial under Juvenile Justice System Ordinance, 2000 and PDNCA is 4 months and 1 month, respectively. The research revealed about 48 percent of the accused respondents belonging age bracket of 11-16 years (*See Chapter 1, Section 1.9.1*). But according to key stakeholders, the cases are dealt in routine without adopting the special procedure provided under the law.

5.2. Causes of Incidents

The research revealed multiple causes of the unfortunate situation of sexual abuse in Kasur. In about 55.17 percent the respondents from victim families, couldn't figure out the reasons for the offence against their children while, in 20.69 percent cases, the offence were committed by

Figure 27

Causes of Incidents



the habitual offender, followed by 10 percent cases which include offenders with diverse background such as friends and in 6.9 percent cases the families had enmity with the victim families. In about 3.45 percent cases the alleged offence was committed just to win a bat with friends.

The detailed interviews with the accused and the victim families revealed the following facts:

5.2.1. Lack of Awareness of Potential Harm to Children and Neglect

Sending unaccompanied minors out to buy stuff from the shop in neighbourhood is a practice. In most of the cases, the victim families stated that the child just went to buy milk or sugar from the shop in the vicinity and then the child never returned.

In one case the unattended minor girl was standing at the door-step with her another minor cousin and a man kidnapped her, sexually abused and murdered. In quite a few cases the young men in the area were noticed to have been distributing sweets and money to the children and even giving them free ride for fun. The families took that lightly until the instances of kidnapping and sexual abuse and even murder took place.

An awareness campaign had been initiated by CP&WB, that covered 647 schools with 5400 participants in Kasur. However, the respondents/key stakeholders were not aware of that. This may be attributed to the limited outreach of CP&WP at present. Also victims include minors under five years of age, therefore, the awareness-raising campaign needs to at both the schools and community level for children and parents.

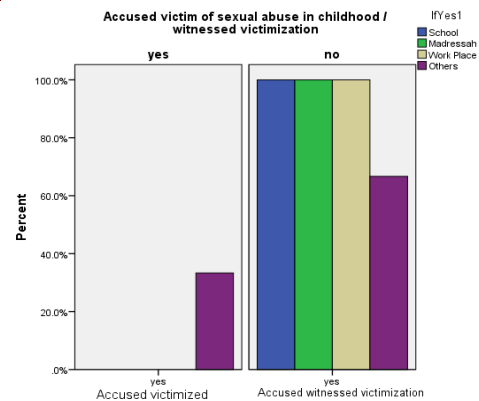
5.2.2. Victimization of Accused in their Early Age

The study revealed the cases of the transformation of the victims of accused to perpetrator. The case of Javed Iqbal who was a Pakistani serial killer who was found guilty of the sexual abuse and murder of 100 children, arrested on 30.12.1999 and sentenced to death by Lahore High Court on 16.03.2000, is unforgettable. His

case history revealed sexual victimization of him in his childhood. Had he been taken care at the time of his victimization, scores of children would have been saved. The Kasur tragedy witnessed many such cases of persons who committed the offence with minors as a revenge of what had happened to them in their early age.

Of 27 accused interviewed by the team, only one admitted that he was subjected sexual abuse when he was in the age group of 5-9 and no psycho-social support was provided to him. However, when the same question was asked from all other accused, the facial expression of most of them reflected deep thoughts of

Figure 28 Victimization of Accused in their Early Age



pain which they wanted to share but they couldn't dare to speak the truth. However, one of the young Imam of mosque rhetorically stated *"what a person goes through in childhood does the same in reaction."* Realizing the sensitivity of the issue, the question was twisted and they were asked whether they witnessed sexual abuse then 44.4 percent stated they witnessed sexual abuse of a child at the workplace; followed by 11.1 percent each in School and Madressah, while 33.3 percent stated miscellaneous places like the fields, mela, etc. The stories they narrated appeared to be very much of their own experience.

The relevant portion of the JIT report reads that "it may be true that some of these victims did perpetrate sexual acts with will at a later stage but the point of concern is that they were all adolescent underage boys and had been molested without realization"^{liii}, endorses the above findings.

5.2.3. Lack of Measures for the Rehabilitation and Re-integration of Victims

There is no concept of the rehabilitation of the victim of sexual violence in the country. The offence is sexual violence is taken as any other offence like car theft,

where the concern is the arrest of accused and recovery of victim (dead or alive). In some cases where case is highlighted internationally, monetary compensation is given to the victim's family as happened in Kasur. The trauma that any victim of sexual violence and his or her immediate family undergo can neither be measured nor compensated in monetary term. This requires justice to the victim in addition to psychiatric and psycho-social support at the earliest in order to help them getting back to their normal life.

During the course of interview, the team met a minor girl victimized of sexual abuse about two years ago, when she was less than 2 years. She was sitting in the lap of her mother and was constantly complaining pain in her lower abdomen. The mother was unable to control her emotions for the damage caused to her daughter, as according to her even after two years of incident the minor victim is not able to lead a normal life. She behaves in weird manner and often feels shocks.

When the Research Lead contacted an organization to find out the possible treatment for the girl, the experts explained that this medical issue has bearing on her psychological issue and that poor mother didn't know what to do. Possible efforts were made to provide medical, psycho-social support to the victim families through Social Work Force network of the Office of National Commissioner for Children. But this is just an interim relief the system needs to be established by the concerned institutions.

Though CP&WB has a small set-up in Kasur, located within the Office of Deputy Commissioner but it has huge mandate with limited staff and capacity. Its team had just a 1-2 sessions with a couple of minor victims with no substantiated case reflecting recovery.

5.2.4. Habitual Offender

Where an offender is not punished at the inception then he feels encouraged to do repeat the offence. About 20.69 percent of the offenders were habitual of

committing such offences and they belonged to influential families and nobody had courage to raise voice against them (*see figure 27*). Some of the respondent victim families wanted justice so they are pursuing the matter even under great pressure and threats from the accused as well as political figures in the area.

5.2.5. Score-settling

In 6.9 percent of the responded stated that the offence was committed because of the offender's enmity with the victim's family which was attributed to their affiliation with different influential groups including politicians, besides quarrel over water course to their fields and even show of power to the poor people in the village. (*See figure 27*)

5.2.6. Sexual Exploitation a Fun

The moral values have deteriorated to an extent that now even the minors bat with the friend to prove their courage of sexual exploitation. This was observed in 3.45 percent cases, though most of the accused did not plead guilty and stated that they were caught because of their friends' involvement in the offence.

Box 3	Statement of the Respondent (Stakeholder)
	The mafia works underground secretly and cannot be detected easily.

5.2.7. Easy Access to Pornographic Video

The pornography got a tremendous boost with the internet explosion and now it has become a lucrative industry. This is one of the major reasons for deteriorating moral values and deviant behaviour, leading to rise in sexual offence against minors. The Principal of the Government High School, Kasur stated in FGD that he caught many students in his school who were involved in illicit activities. According to him, a boy of just 6-7 years was caught red-handed by him. Upon inquiry, the minor told that he learned all that from a video in the cell phone of his grandfather.

The JIT report,^{liv} also disclosed that the local police recovered pornographic videos from the mobiles of Haseem Aamer, co-accused and other secret sources.

The members of the communities across District Kasur, victim families and even the accused stated that the access to pornographic videos / movies is very easy. Anyone can get a full memory card download of videos in just Rs.50/= from the shop. The police had raided the shops in Chuniah thrice and even then the business is flourishing, though now in a bit secrete manner. The role of FIA was criticized in this regard, with emphasis on the Agency to take affirmative actions in the prevention and dissemination of pornographic videos on electronic media in Pakistan. However, the stakeholders opined that Google and Facebook authorities are not bound by any protocol or memorandum of understanding (MOU) with the Government of Pakistan to respond to the queries of FIA or comply with directions of the later.

The Cable Operators also need to be monitored to prevent and control the ex-rated movies in the city.

5.2.8. Lack of Political Will

The members of the communities in Kasur and Kasur – based media officials were of the view that practically, the initiatives taken by the Punjab Government were short-term. As for instance, the Punjab Government announced installation of 600 CCTV cameras, however, after the installation of 50-60 CCTV the camera installation stopped.

5.2.9. Educational Standards

The standard of government schools was badly criticized. The community members in Kasur alleged that there is no monitoring of the schools. Most of the teachers, especially in girls' schools, either remain absent or leave around 11 a.m. In some cases they force the students to do the dusting of the class while the servants in school work at the teachers' residence. Some community members, in Chuniah stated that teachers instead of coming to school hire the students of secondary classes to teach the junior students on their behalf. It was even complained that some teachers send the girl students to their home for home chores. Cases of sexual

abuse of such female students by the relatives of the teachers at their residence were also reported.

The standard of private schools was not appreciated either. The community members were of the view that most of the private schools are very small and the students have no opportunity for out-door sports.

5.2.10. Lack of Outdoor Recreational Activities

There is hardly a concept of any out-door recreational activities in Kasur. The parks have been reduced and youngsters have no outdoor games. An overwhelming majority of 78.95 percent of the accused just roam-around with friends with common interest of watching movies on DVD and on mobile phone. While 5.26 percent each of the accused watch movies on internet or cables. One of the minor accused had interest in watching Bangali movies. Only the convicts in Hussainwala video scandal case stated that they play cricket and volleyball. Some surviving minor victims disclosed that they used to play with other children in the neighbourhood, who compelled them to visit mela with them and trapped them.

5.2.11. Criminal Background of the Accused

About 27.78 percent of the accused had family member(s) with criminal background. Out of whom, in 20 percent cases brother and in 80 percent cases the uncles of the accused had criminal record. While in Hussainwala case, the entire family of the convicts including father, mother, uncles, brothers and sisters were charged not only in the said case but earlier also charges had been leveled against them, though according to the main convict, earlier his grandfather and uncle were killed by the rival group.

5.2.12. Broker Families / Single Parents

The children of poor broken families were easy target of victimization. A single parent stated that she went out to work in the field while her minor son was asleep and the door was locked. The accused living in the neighbor broke open the door

and committed the offence. In another case, the mother was paralyzed and father used to be at the work while the minor at home was victimized by the neighbour.

5.2.13. Criminal Activities / Mafias

Some of the areas in Kasur are known for all sorts of criminal activities including prostitution, gambling, drugs, etc. The children groomed in such environment have tendency to become criminal. One of the minor accused stated that his father is a drug addict and his mother had passed away, therefore, he was lives with his married sister in a muhallah adjacent to red-light area. The accused was not studying and he used to spend his time with friends in that red-light area.

5.2.14. Power Game

The poverty is one of the root-causes of serious human rights violations. The profile of the victim families and of the perpetrators shows marked disparity. All convicts of Hussain Khanwala case of video scandal belonged to affluent family and were well qualified, especially Haseem, while the victims of the same case, as disclosed by Haseem, without pleading him guilty, belonged to families that were poorest of the poor. An overwhelming majority of whom revealed that accused were not only financially sound but they are also close to either the Chairman Union Council, Nambardar or some MNA or MPA. And these personalities were playing great role in pressurizing the victims to withdraw the case, exonerate the accused else they should be ready to face the consequences.

Box 4

Statement of Respondent (Victim's Guardian)

We have no choice but to observe silence else we will incur more damage.

Further, in comparison to the victim families, most of the accused were engaged in government jobs, as for instance, Clerk in Sessions Court Lahore, Record Clerk in Lahore High Court, Stenographer in Drug Regulatory Authority of Pakistan (DRAP), Sub-Inspector, Lineman WAPDA, etc. Though they relate to lower or middle strata but such positions are enhanced in village and often used as means to take undue

advantage for unprivileged people in the community. On the other hand an overwhelming majority of other cases the victim families were from lower stratum.

5.3. Criminal Justice System

The primary institutions of criminal justice system include police, prosecution and defense lawyers, the courts and prisons - aimed to identify and catch the perpetrators and to inflict punishment.

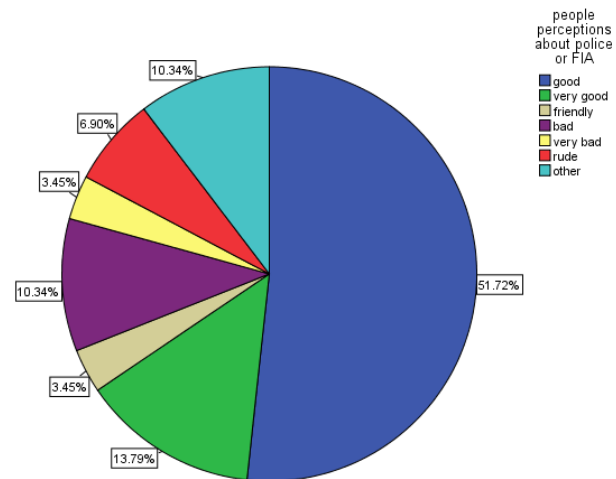
5.3.1. Police

a. People's Perception of Police

There had been multiple responses about the police. As per 51.72 percent respondents from victim families, the police are fine with them, followed by 13.79 to whom the police was very good while 10.34 percent had diverse opinion and another 10.34 percent had negative opinion of police. Majority of them stated that the Police remained good with both the parties as long as their palms are greased well. This allegation was substantiated by the record of the Provincial Ombudsman, Punjab which revealed lodging of 202 and 85 complaints against the District Kasur Police in the year 2016 and 2017, respectively while 32 in just four months of 2018.

One of the victim families stated that Police remained extremely rude when the approached to lodge the FIR of their missing daughter. However, when the dead body of the minor victim was recovered their behavior changed.

Figure 29 Peoples' Perception of Police



b. Frequent Transfer of Station House Officers

Figure 30 Duration of SHOs' Posting in Kasur

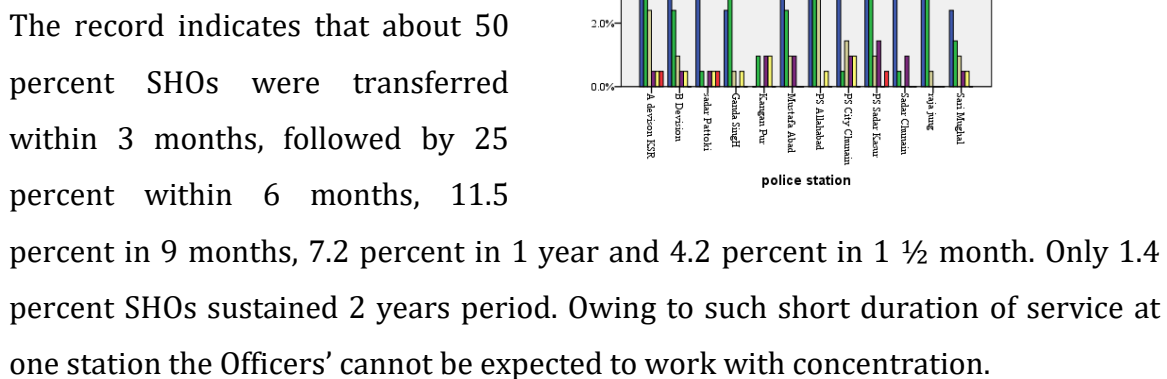
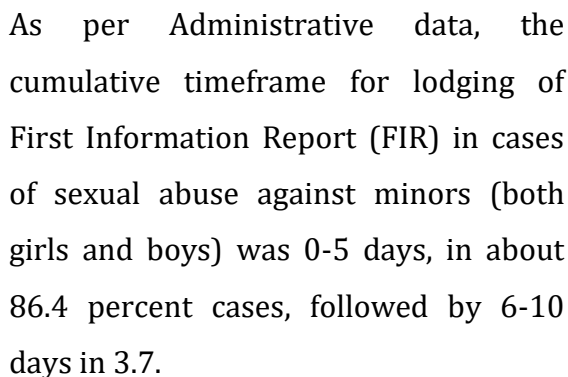


Figure 31 **Timeframe for lodging of FIR**



percent cases, while 11-15 and 26-31 days in 1.8 percent cases each. About 1.5 percent cases involved 32-60 days and over 90 days in 1.1 percent cases. The date of FIR was missing in 1.8 percent cases. (*See figure 31 on page 58*)

d. Timeframe for Arrest of Accused

The accused in 45.2 percent cases were arrested in 0-5 days and in 8.8 percent cases between 6-10 days. While in 20.6 percent cases the duration for the arrest of accused was over 90 days and in some cases it goes down to years. As for instance, the FIRs in case of minor Asma aged 7 years, (victim of sexual abuse and murder) and Tehmina aged 5 (victim of sexual abuse) were lodged in the year 2015 (Jun. Apr., respectively), but the accused Imran Ali, living in their neighbourhood couldn't be arrested until country-wide protest after minor Zainab's case in the year 2018.

Likewise, the FIRs in the cases of minor victims of sexual abuse and murder vis-à-vis., Ayesha, aged 5 ½ years; Aman Fatima, aged 4/5 years; Noor Fatima, aged 7 years; and Laiba, aged 7/8 years, were lodged in 2017 in the month of Jan., Feb., Apr. and Jul., respectively but no action was taken in this regard. When Imran Ali was arrested in Zainab's case the victim families in the said cases were told that Imran Ali is the offender of their minor daughters. The case of Kainat Batul, aged 6, victim of sexual abuse was solved in the same manner. The victim families in some cases were, however, not satisfied with the Police findings of DNA match of their minor victim with Imran Ali.

During FGD with the community members in Kasur, Saddar, the family of minor victim Faiq s/o Khurram Shahzad who was kidnapped from Syed Chirag Shah Town Kasur on 24th March 2018 (ref. FIR No. 206-18), approached the Team lead for redressal of their grievance. The family is still running from pillar to post but to no avail. During the course of research, the victim families and the community informed the team that now the police take every possible measure to prevent protest by the community and highlighting of cases in media.

e. Timeframe for DNA Test

In about 24.3 percent cases, the DNA tests were conducted in 0-5 days and in 6-10 days in 7.7 percent cases. While in 52.9 percent cases there was no clue of DNA test. Some of the victim families expressed doubt on DNA report. As for instance in one of the cases, the police informed the parent of a victim that his daughter is found in a critical condition, later died in the hospital, the victim's family insisted the Police to show her clothes for identification but they were refused. Later, after the arrest of Imran Ali in Zainab's case, they were informed that Imran Ali was the offender of their daughter. (See figure 32)

Figure 32

Timeframe conducting DNA Test

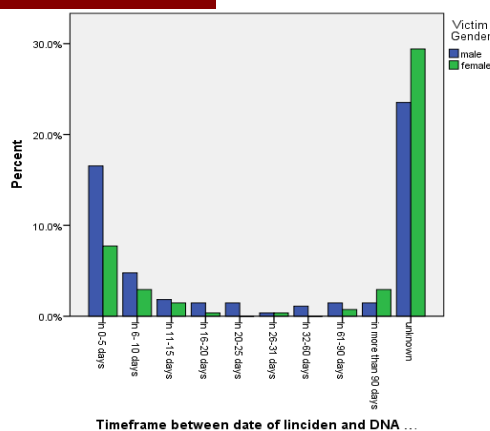
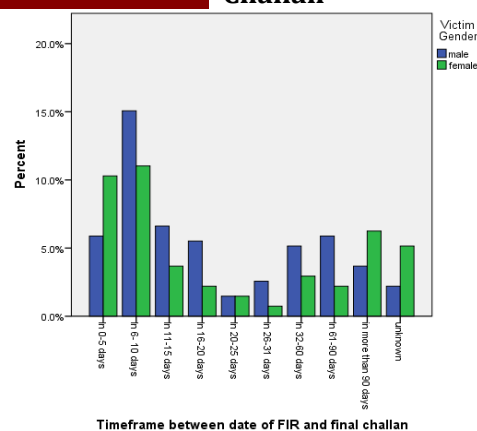


Figure 33

Timeframe Submission of Final Challan



f. Timeframe for Completion of Investigation and Submission of Challan

The investigation is the basis for any case. Delays and errors may change the whole scenario. The statutory period for the submission of Challan is 14 days plus 3 days of the arrest of accused.^{lv} Police statistics revealed 6-10 days for the submission of Challan in 26.1 percent cases, followed by 0-5 days in 16.2 percent cases and 11-15 days in 10.3 percent cases. (See figure 33)

Box 5	Court's Verdict
<p><i>"DNA test provided the Courts a means to identify perpetrators with a high degree of confidence. By using DNA technology the Courts were in a better position to reach at a conclusion whereby the real culprit would be convicted, potential suspects would be exonerated."</i> lvi</p>	

About 9.9 cases, however, reflected over 90 days period and in 9.9 cases the date for submission of final Challan was missing. The administrative data from the District and Sessions Court, Kasur was also procured in this regard for the purpose of triangulation but due to typographical mistakes exact duration couldn't be calculated.

Box 6	Statement of Respondent (Victim's Guardian)
<p>The Investigation Officer threatened me that if I don't pay him Rs.25,000/=, he will take it from the accused and write report in his favour.</p>	

An overwhelming majority of the community members in all Tehsils of Kasur as well as Judicial Officers expressed lack of trust in police because of corruption and incompetency.

The victim families also pointed out the issue of 'conflict of interest' of the Investigation Officer. In one of the cases, the real brother of the Investigation Officer was the Defence Counsel in the same case.

5.3.2. Judicial System

a. General Perception

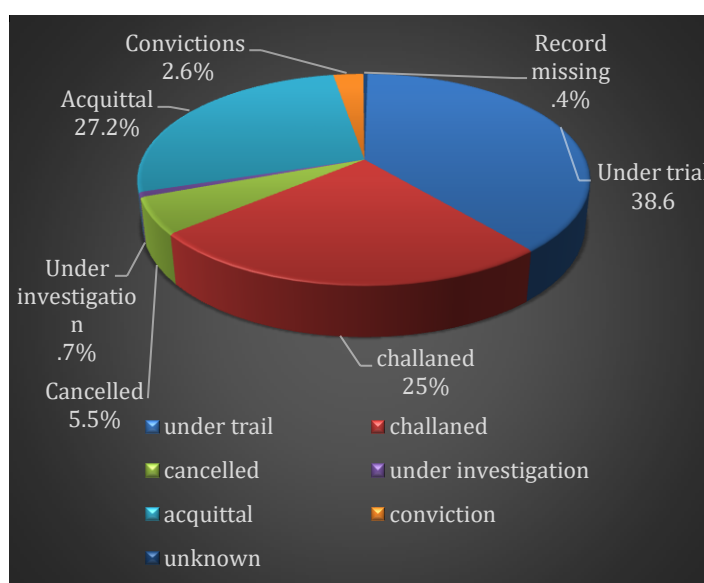
About 30.8 percent victim families gave positive feedback about the Judicial Officers and the Court staff and 15.4 percent found them rude. While 23.1, percent respondents expressed diverse opinions, which were in line with the opinions expressed by the community during FGD. They alleged that Judicial Officers often

demand favours from the litigants through their lawyers and that they favour senior lawyers. The poor victim families can't afford an expensive lawyer, that's why their cases were lingered on for years.

b. Outcome of Cases in Sub-ordinate Courts in Kasur

The Police record reflects that of 272 during the last decade, 29.8 percent cases concluded as on 31.03.2018 with 27.2 percent acquittal as against 2.6 percent convictions. While, 38.6 percent cases were under trial and 25 percent Challenged. About 5.5 percent cases had been cancelled and the status of 0.4 percent cases was missing in the record. See figure 28.

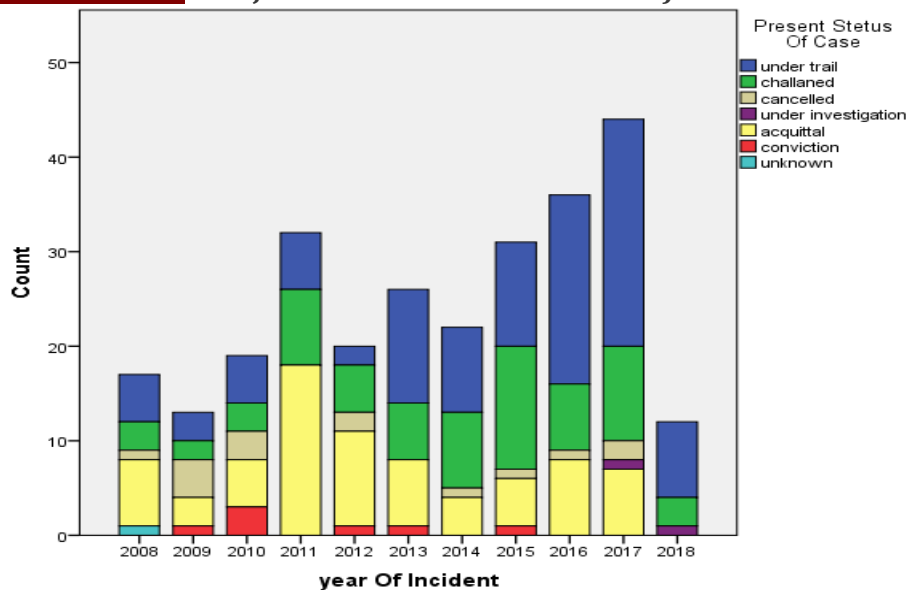
Figure 34 Cumulative Outcome of Cases in District & Sessions Court, Kasur (Feb. 2008 to Mar. 2018)



The administrative data of the District and Sessions Court, Kasur, on the other hand reflects only 128 cases being instituted from Feb. 2008 to Mar 2018 with only 24.21 percent cases being decided with 87.0 percent acquittal and 12.9 percent convictions. While the remaining 75.78 cases were either pending, under trial or with 'nil' status (See figure 28). The deeper analysis revealed that 41.23 percent of these cases were pending due to non-appearance of witness. The discrepancy in the Administrative data of Police and Court may be attributed, to some extent, to 5.5 percent of cases that were cancelled at Police Station level while a number of cases were tried by Anti-Terrorism Court (ATC), under Section 7 of Anti-Terrorism Act (ATA), especially the cases relating to Kasur Video Scandal of Hussain Khanwala.

The year-wise analysis of the status said cases, based on Administrative data as on 31st March 2018, is detailed as under:

Figure 35 Year-wise Status of Cases Registered in Punjab, from 01.01.2008 to 31.31.2018, as on 31.31.2018 (as per Punjab Police Administrative Data)



2008: Of total 272 case, 6.2 percent cases were registered in the year 2008. Only 2.6 percent cases concluded with acquittal of accused while 1.8 percent cases are still under trial and Challan submitted in 1.1 percent. However, 1.4 percent cases were cancelled (at Police station level)

2009: About 4.8 percent cases were registered during this year, of which 1.5 percent cases concluded with 1.1 and 0.4 percent acquittal and conviction, respectively. About 1.1 percent cases were under trial and 0.7 percent Challaned. While 1.5 percent cases cancelled.

2010: Of total 7 percent cases in the year, 2.9 percent cases concluded with 1.8 acquittal and 1.1 percent conviction. While 1.8 percent were under trial and 1.1 percent cases had been Challaned.

2011: This year had third highest number of registered cases sexual violence against minors, i.e. 11.8 percent. The accused had been acquitted in all 6.6 percent concluded cases. While 1.8 percent cases were under-trial and 1.1 percent Challaned.

2012: The rate of registration of cases declined to 7.4 percent. Of total 4.1 percent concluded cases, the accused were acquitted in 3.7 cases while conviction in 0.4 percent. About 0.7 percent cases were under trial and 1.8 percent Challaned while 0.7 percent cases cancelled.

2013: Of total 9.6 percent cases, 3.0 percent cases concluded, out of which accused acquitted in 3.7 cases and conviction was rate was mere 0.4 percent. About 4.4 percent cases were under-trial and 2.2 percent cases Challaned ,as on 31.03.2018,.

2014: About 8.1 percent cases of the cases this year, just 1.5 percent cases concluded with acquittal of accused and no conviction. While 4.4 percent cases were pending and 2.2 Challaned. However, 1.5 percent cases were cancelled.

2015: About 11.4 percent cases registered during this year, out of which 2.2 percent cases concluded with acquittal of accused in 1.8 cases and no conviction. While 4.0, 4.8 and 0.4 percent cases had been under trial, Challaned and cancelled, respectively.

2016: This year had 13.2 percent, the second highest number of registered cases in a decade, out of which 2.98 percent cases concluded with acquittal in all. While 7.4 percent cases were under trial, 2.6 percent cases Challaned and 0.4 percent cases cancelled.

2017: Highest number of 16.2 percent cases were registered this year, out of which 2.6 cases concluded with acquittal of accused in all cases and no conviction. While

8.8 percent cases were under trial, However, 3.7 percent Challenged, 0.4 percent cases were under investigation and about 0.4 percent cases cancelled.

2018 (1st Jan. - 31st Mar. 2018): During 3 months, 4.4 percent cases registered out of which 2.9, 1.1 and 0.4 percent cases are under trial, Challaned and under investigation, respectively.

The year-wise analysis of the Court's administrative data also reflects steady increase in the institution of cases with frequency of 3 in 2014 to 61 in 2017 and 21 in just first three months of the year 2018. (*See figure 30*)

c. Lack of Protection to Witnesses

There is no concept of protection to the witnesses. The FGD disclosed that Courts provided security to the litigants in approximately 1 percent cases and that too subject to the application by the victim family or witness. Like victim families, the witnesses are also pressurized and restrained from giving evidence, that's why an overwhelming majority of cases are lying pending in Courts.

d. Legal Fraternity

An overwhelming majority of the victim families had very negative opinion of the lawyers in Kasur. According to them Police and lawyers are responsible for most of the problems in Kasur. The lawyers charge heavy fees from them and even then they gang-up with the defence Counsel and force the victim families to compromise and withdraw the case. The father of one of the victims stated that one of the senior lawyers threatened him in the Court that if he doesn't withdraw his case, he will get his child's DNA report changed.

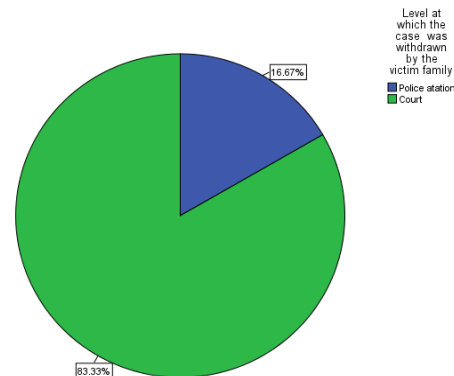
e. Out-of-Court Settlement

In about 83.33 percent cases, respondents stated that they had withdrawn their case at the Court level and in 16.67 percent cases at Police Station level.

Sexual abuse is an offence against the State and is non-compoundable. However, practically, these offences are settled out-of-court generally in terms of victim family exonerating the accused or non-appearance of witnesses. According to Police Officials the victim families accept compensation in about 30-40 percent cases or withdraw the case under pressure of the community. This is one of the major reasons for the acquittal of accused as compared to negligible conviction is the withdrawal of cases. Thus paradoxically the community hates the crime but tend to protect the criminals and help them.

Figure 36

Level at which the Cases were Withdrawn



Box 7

Court's Verdict

"Rape was an offence against the whole society and the case was registered in the name of the State; therefore, where complainant party did not come forward to pursue due to out-of-court settlement, the State should come forward to pursue the case and courts should also take into consideration such aspects of the case while extending benefit to the accused."

Supreme Court's Verdict^{lvii}

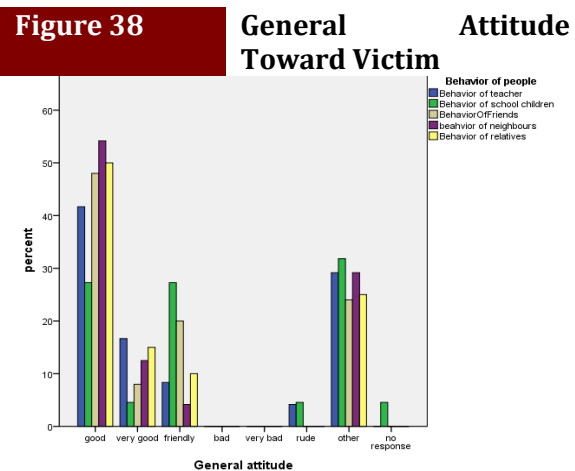
The key players in facilitating compromise in cases include *inter alia*, the police, lawyers and politicians. Contrary to the verdict of the Supreme Court of Pakistan, that obligates the State to step-in and pursue the case when the complainant party is not coming forward, the cases are either close down for non-prosecution or kept in abeyance for ages instead of adopting a proactive approach to deliver justice (See Box 6).

5.4. Social Work Force

The victim families and the community members in Saddar Kasur, Chuniah and Patoki had no idea of any GOs and NGO providing any support including to the victim families in any manner what so ever. There was not even a single victim family that received any legal aid and psycho-social support or any help in lodging the FIR. However, during the course field research, the victim families that were need in psycho-social support, medical and legal aid were put in contact with the partnering organization of Sahil (an NGO, working for child rights).

5.5. General Attitude towards the Minors

According to the victim families, the behavior of an overwhelming majority of people towards minor victim remained good after the incident. The analysis revealed that about 41.7 percent of the school teacher maintained good behavior. Likewise, 27.3 percent, 48.0 percent, 54.2 percent and 50.0 percent children in the school, friends and relatives, respectively remained good with the minor victim.



About 4.5 percent to 16.7 percent of the teachers, school children, friends, neighbours and relatives became even more caring and 4.2 to 27.3 percent tried to be become more friendly with the minor victim to make him or her feel comfortable. However, 4.2 and 4.5 percent teachers and school children became rude towards the minor victims, which is very harmful. The rude and hateful attitude towards victims imbibes negativity in the victims provoking them to take revenge in the same manner as they were treated.

5.6. Impact of Sexual Abuse on Minors Victims

One of the most serious impacts of the incidents is the lack of security in the district, perpetuating deviance, and

Box 8

Statement of the Respondent (Community Member)

After Hussain Khanwala case, most of our relations were severed. People avoid meeting us.

most alarming is transformation of victims to perpetrators. The families expressed serious concerns about the future of their daughters who were victimized. In a couple of cases, the families admitted that though the rape was committed but they did not opt for medico-legal examination and paid heavy amount to the police to state “attempt to rape” instead of “rape” to save their daughters from stigmatization. In some cases the victims of sexual abuse stopped going to the school. Additionally, the overall impression of the district, globally needs serious consideration for affirmative measure for reforms.

6. WAY FORWARD

In view of the above research findings, the following short-term and long-term reforms are proposed as under:

6.1. Short-Term– on priority basis

These following reforms are required to be initiated on priority basis to minimize the incurring irreparable damage to the victim minors and their families:

6.1.1. Establishment of ‘One-Stop Facilitation Center’

These centers are required to be established in Kasur for the medical, psychiatric and psycho-social and legal support to the victims and their immediate family members at District and Tehsil levels.

a. Modalities

i. **Supervision & Financial Backstopping:** These Centers are proposed to be established and run under the supervision of a Committee comprising of Provincial Secretaries (dealing with Teaching and non-teaching hospitals), Department of Health, Punjab and the Federal and Provincial Commissioners and in collaboration with International Development Partners, especially UNICEF for necessary financial backstopping.

ii. **Partnership in Service Delivery:** The M.S. DHQ, Kasur; MS Services Hospital Lahore; M.S. Ganga Ram Hospital; and the Director, Institute of Applied Psychology, University of Punjab expressed their interest for a joint venture in this regard, initially at DHQ Kasur. Since the matter relates to Government Institutions, therefore, the guidance approval and necessary directions of the concerned Secretaries, Department of Health, Government of Punjab would be necessary for implementation of this recommendation. The CP&WB, although has a huge mandate could also play its due role jointly with other partnering organizations.

iii. Pre-requisite of Service Delivery: The Centers must be well equipped and have staff trained in facilitating the victims of sexual abuse and their case management and services. These Centers must also be equipped to conduct effective monitoring, reporting and oversight of child rights' violations at all levels in addition to referral to legal aid and any other necessary service(s) to the victims and/or their families, where required.

6.1.2. Database of DNA: The database of DNA of the criminals and suspects / potential perpetrators for the quick tracing of the offenders of sexual abuse and missing children, may be developed initially at level of District Kasur.

6.1.3. Zero tolerance for sexual violence against children: Strong methods must be adopted to deal with the offence against children.

6.2. Long-Term

6.2.1. Legal Reforms: Following legal reforms are proposed to be initiated at the National level:

- a. Enactment of a new law or appropriate amendment in prevailing law to provide for mandatory psychiatric and psycho-social support of every victim of sexual offence and every minor accused of sexual offence, in custody at the expense of the State.
- b. Amendment in the prevailing legislation to provide explicit prohibition of exonerating the accused of sexual abuse.

Even where the victim or his/her guardian or legal heir exonerate the accused or withdraws the case or do not wish to pursue the matter, for any reasons the State must step in to pursue the matter.

- c. Amendment in Cr.PC. to provide time limitation of six months to decide the case of sexual abuse against minor in addition to the provision relating Child Protection Court.

6.2.2. Tracking of the Cases of Violence Against Children: Computerized tracking of the cases relating sexual abuse of minors under the supervision of a panel comprising key stakeholders and headed by the Chief Justice of the concerned High Court, directly. The database of the Police needs to be harmonized with the database of Courts at all levels and efforts must be made to remove the errors.

d. **Analysis of Data:** The database of the sexual abuse of minors must be analyzed periodically and strategies must be devised accordingly to prevent and control sexual abuse against children in Kasur and reported to Lahore High Court and other oversight institutions including Federal and Provincial Ombudsmen.

6.3. Protocol for the Prevention of Cyber Crimes: The GOP is required to have Protocol of Cooperation for the prevention and controlling of pornographic videos in Pakistan, with Google and Facebook Authorities.

6.4. Closed-circuit television (CCTV) Camera Initiative

The former Chief Minister's project of installing 600 CCTV cameras announced year this year must be completed at the earliest.

6.5. Educational Reforms

The educational system in Kasur needs to be improved by means of the:

6.5.1. Appropriate mechanism must be devised to ensure the teachers are performing their duties, in terms of surprise visits to schools, CCTV cameras in schools, complaint box to be operated by the Board of Intermediate & Secondary Education only;

6.5.2. Capacity building of the school teachers, especially with reference to the detection of crimes against the children;

6.5.2. Frequent parent-teachers meetings to discuss and resolve the children issues;

6.6. Awareness Raising and Skill Development

There is need to initiate a campaign for the protection of children, especially against the harmful attitudes, customs and practices to educate the people at grass-root level including schools, madressahs and community. This will also lead to changing mind-set of the masses.

In addition to the awareness-raising in this regard, the teachers, parents and the children both school/ madressah-going and out of school / madressah children, need to be equipped with life skills to enable them to detect the potential harm and take necessary measures for protection thereof. The SOS Village Punjab and CP&WB have developed Child Protection curriculum, their expertise can be utilized in this regard.

This campaign may be worked out in following phases:

- Phase-I: Training of the teachers and staff of school / madressha; Girls Guide; Boy Scouts; Community volunteers and NGOs in District Kasur.
- Phase II: Training of the parents of school / madressah-going children by the teachers of the concerned school / madressah. The forum of parents-teacher meetings (proposed in clause 3.2. above), can be used for this purpose.
- Phase-III. Training of school / madressah – going children by the teachers and the Boy and Girls Scouts.
- Phase-IV: Training of parents of the out-of school / madressah by the community volunteers and NGOs.

6.7. Police Training

The Police Officers must be given training on the rights of the child and juvenile in conflict with law, child friendly investigation and handling of media, in line with the domestic laws and international standards.

6.8. Concerted Efforts: A high level commitment of all key stakeholders is required for the above initiatives. Therefore, for the above initiatives all key stakeholders especially the judiciary; law enforcement agencies; concerned Federal and Provincial (Punjab) Departments/ Ministries; parliamentarians, relevant NGOs, media and Provincial and Federal Ombudsmen must be taken on-board.

ANNEXES

ANNEX ‘A’

Minutes of the First Meeting of the Task Force on ‘Kasur Tragedy & Redressal of Systemic Issues’

(Dated 12.04 2018, Lahore)

The first meeting of the task Force on ‘**Kasur Tragedy Redressal of Systemic Issues,**’ chaired by Senator Dr. S.M. Zafar, former Federal Minister for Law, Justice, Parliamentary Affairs & Human Rights was held in Lahore on 12th Apr. 2018.

Mr. Ejaz Ahmad Qureshi, National Commissioner for Children / Sr. Advisor Appraisal, Wafaqi Mohtasib Secretariat (WMS); Mr. Abubakar Khudabakhsh, Adl. I.G.(Investigation); representative of NADRA and the members of the Task Force including Ms. Souriya Anwar, President SOS Children’s Village, Pakistan; Ch. Muhammad Masud Akhtar Khan Ex. District & Sessions Judge, Punjab; Ms. Shaheen Attiq-ur-Rehman, Vice Chairperson, Bunyad foundation, Punjab; Syeda Viqar-un-nisa Hashmi, Commissioner for Children & Transgender / Focal Person, Wafaqi Mohtasib Secretariat; Ms. Nasreen Farooque Ayub, former Chief Child Commissioner, Provincial Ombudsman, Punjab; Mr. Tauseef Arshad, Chief Child Commissioner, Provincial Ombudsman, Punjab; and Mr. Shakaib Tahir Coordinator / Consultant, Wafaqi Mohtasib Secretariat, participated in the meeting.

Senator Dr. S.M. Zafar, Chairman of the Task Force welcomed the participants and briefed the participants that the Task Force is vested with a mandate to redress the systemic issues of child abuse in Kasur. It has powers to make strategic decisions in this regard, hold meetings with the concerned Authorities, monitor the progress, approve the deliverables of in-depth research study ‘mapping the issues & response to sexual violence in District Kasur, Punjab’, led by Syeda Viqar-un-nisa Hashmi.

He appreciated the support of Hon'ble Wafaqi Mohtasib Syed Tashir Shahbaz, while giving tribute to the former Hon'ble Wafaqi Mohtasib Mr. Salman Faruqui, N.I. for his innovating approach in helping the vulnerable persons.

Mr. Ejaz Ahmad Qureshi thanked Senator Dr. S.M. Zafar for his commitment towards the cause of children, despite his illness. He stated that structural issues needs to be studied with the objective to devise a plan of action for the protection and welfare of the children. On 2nd March 2018, based on the earlier meeting on the issue and visit of the delegation of the Federal and Provincial Commissioners to Kasur, Syeda Hashmi presented a 4-staged strategic plan of action to respond to the situation in Kasur. The participants of the meeting unanimously approved the plan. In pursuance thereof, Ms. Hashmi has prepared inception report of the research along with the tools for data collection. *Copy of inception report and presentation are attached.*

Ms. Hashmi gave a detailed presentation of research to be undertaken, highlighting its objective, approach, methodology, sampling strategy and size, and baseline indicators. She also detailed the key components of the tools for data collection.

The participants endorsed her work and given her a go-ahead to proceed with research. Mr. Abubakar Khudabakhsh, Adl. I.G, Punjab who had already provided the relevant information also offered full support in the research process.

Senator Dr. S.M. Zafar in his concluding remarks thanked the participants for their input and support to the cause.

ANNEX ‘B’

FINAL RECOMMENDATIONS

(Based on the visit of the delegation of the Commissioners for Children to Kasur on 22nd Feb.2018 and multi-stakeholders’ meeting dtd. 19th Jan. and 3rd March 2018)

Overview

- To facilitate the provision of:
 - Psycho-social and medical support to the victims of sexual psychological and physical abuse and / or their families;
 - Judicial notice on compromise in cases of rape/sexual assault and murder of victims;
 - Legal aid to the victims of sexual abuse and their families;
 - Forensic test facilities in District Kasur on regular basis;
 - Computerization of DNA identification of convicts and suspects through NADRA; &
 - Facilitation Centre for the minor victims of abuse and their families.
- Conduct an in-depth study of the issues relating child abuse in District Kasur with particular reference to:
 - Identification of challenges faced by the victims and their families in access to justice;
 - Identification of shortcomings in the policy and legal framework;
 - Mapping of existing support mechanism in District Kasur, especially in the areas with serious issue of crimes against children; &
- Development of awareness-raising approach for child protection measures at community level.

ANNEX ‘C’

Strategic Plan of Action

Phase – 1

1.1. Core Committee / Task Force

The Core Committee /Task Force to address the issues of child abuse in Kasur will be notified.

1.1.1. Proposed Chairperson of Core Committee

- Senator Dr. S.M. Zafar – Chairman, National Committee on Children, WMS - Chairman

1.1.2. Proposed Members of Core Committee

- Ms. Soriya Anwar, Chairman, National Committee on Children, WMS, WMS - Member
- Mr. Masood Akhter Ch., Member, National Committee on Children, WMS, WMS - Member
- Ms. Shaheen Attiq ur Rehman, Commissioner for Children (Punjab), WMS - Member
- Ms. Nasreen Farooq Ayub, Commissioner for Children (Punjab), WMS – Member
- Mr. Touseef Arshad, Chief Child Commissioner, Provincial Ombudsman, Punjab
- Representative of UNICEF
- Syeda Viqar-un-nisa Hashmi, Commissioner for Children, WMS – Member/ Secretary

1.1.2. Terms of Reference of Core Committee

- Strategic decision-making;
- Meeting with the Concerned Authorities;

- Monitoring of progress; &
- Approval for deliverables.

1.1.3. Immediate Actions to be taken by the Core Committee

- Establishment of Emergency Psychiatric Centre for minor victims and their families in DHQ Kasur District, Punjab.
- Forensic Testing Facility in DHQ Kasur on regular basis.
- Facilitation Centre for women and children victims of child abuse.
- Judicial Monitoring of the progress on FIRs.
- Meeting with the Hon'ble Chief Justice Lahore to request for his *suo moto* notice on the compromise in cases re. rape and murder of minor girl in Kasur.
- Meeting with NADRA Authorities to discuss the computerization of DNA identification for quick identification of the accused of sexual abuse.

Phase – 2

2.1. In-depth research study:

- Diagnose, investigate, redress and rectification of injustice against children in District Kasur.
- Need Assessment.

2.2. Research Team Lead

Syeda Viqar-un-nisa Hashmi, Commissioner for Children & Transgender, WMS

2.3. Steering Constitution

The Core Committee will constitute the Steering Constitution of Multi-stakeholders.

2.3.1. Proposed Chairperson

Syed Tahir Shahbaz, Hon'ble Wafaqi Mohtasib of Pakistan

2.3.2. Proposed Members

- Parliamentarians;
- M/o law and Justice;
- M/o Human Rights;
- Provincial Ombudsman, Punjab;
- National Commission on Human Rights (NCHR);
- Department of Police Punjab;
- FIA;
- Child Protection & Welfare Bureau;
- Department of Social Welfare;
- NADRA;
- Provincial Commission of Women, Punjab;
- Union Council
- Civil Society; &
- As considered by the Task Force.

2.2.2. Terms of Reference of Steering Committee

Vetting of the outcome of need assessment research study.

Phase – 3

Need-based Short-term and long-term Plan of Action for service delivery and reforms.

Phase - 4

- 4.1. Services – Psycho-social-legal and medical support.
- 4.2. Monitoring by the Core Committee.

ANNEX ‘D’

Work Plan

Phases	Activities	Timeline in months											
		March			April				May				June
		Weeks			Weeks				Weeks				
I	Immediate Measures	2	3	4	1	2	3	4	1	2	3	4	
	Approval of Plan of Action & Work plan												
	Notification of Core Committee (CC)												
	Co-ordination for meetings of CC with Authorities												
	Meeting with NADRA Authorities (Isb/Lah)												
	Meeting with Hon’ble Chief Justice, Lahore H.C												
	Meeting with service providers in Lahore												
	Meeting with Head, DHQ Kasur												
	Meeting with IGP, Punjab re. facilitation Desks												
	Meeting with UNICEF												
	Steering Committee Meeting												
II	Research Study												
	Concept note with budget												
	Approval by NCC & UNICEF												
	Deliverable 1: Inception report with tools												
	Team formulation & coordination with stakeholders												
	Approval of Deliverable 2 by the core team												
	Orientation of field researchers / enumerators												
	Letters to concerned authorities for administrative data												
	Field research												
	Data coding & analysis												
	Report writing with recommendations												
III	Need-based plan of action for service delivery												
	Meeting of the Core Committee												
	Meeting of the Steering Committee												
	Final report												
IV	Services & monitoring by Committees of Commissioners												

ANNEX ‘E’

Minutes of the Meeting

Re. Task Force on ‘Kasur Tragedy & Redressal of Systemic Issues’

(Lahore, dtd. 9th Sep. 2018)

1. The meeting of the Task Force on ‘Kasur Tragedy & Redressal of Systemic Issues’, chaired by Senator Dr. S.M. Zafar was held on 9th September 2018 at the residence of Senator Dr. S.M. Zafar in Lahore.
2. The key participants of the meeting include Ms. Souriya Anwar, President SOS Village & Member National Committee on Children; Ms. Shaheen Atique ur Rehman, Commissioner for Children; Ch. Muhammad Masud Akhtar Khan, member National Committee on Children; Mr. Shakaib Tahir, Coordinator, office of National Commissioner for Children and Syed Viqar un nisa Hashmi, Commissioner for Children / Transgender & Secretary Task Force participated in the meeting.
3. Dr. S.M. Zafar briefed the participants that the Office of the Commissioner for Children constituted this Task Force in response to the increasing cases of sexual violence against children in general and Kasur in particular. The purpose of this Task Force is to investigate and formulate a need-based strategic way forward to respond to the situation of child abuse in District Kasur, Punjab.
4. He stated further that, Syeda Viqar un nisa Hashmi undertaken an in-depth research study on ‘mapping the issues of sexual violence against children in District Kasur and Response thereof,’ as per strategic plan to diagnose, investigation and to conduct need assessment to redress and rectification of injustice against children in District Kasur. The draft report had been shared with Mr. Ejaz Ahmad Qureshi,

National Commissioner for Children / Sr. Advisor Appraisal and all members of the Task Force. The response thereof was very positive and encouraging.

5. Syeda Viqar un nisa Hasmi shared the findings and discussed the input given by the members of the Task Force in the meeting.

6. The Task Force unanimously approved the draft report and applauded the dedicated efforts of Syeda Hashmi in coming up with detailed empirical research report with doable policy recommendations for the rehabilitation of the minor victims of sexual violence.

7. It was further decided that: (a) as per strategic plan of action, the findings of the research and recommendations will be shared with the Steering Committee, headed by Hon'ble Syed Tashir Shahbaz, Wafaqi Mohtasib of Pakistan, which will be followed by press conference; (b) the final report shall be printed and disseminated; & (c) practical measures shall be taken as proposed in the report.

ANNEX ‘F’

Minutes of the Meeting

Re. Steering Committee on ‘Kasur Tragedy & Redressal of Systemic Issues’

(Lahore, Dtd. 26th Sep. 2018)

The meeting on ‘Kasur Tragedy & Redressal of Systemic Issues’, chaired by Syed Tahir Shahbaz, Hon’ble Wafaqi Mohtasib was held on 26th Sep 2018 in Lahore.

1. Senator Dr. S.M. Zafar, Chairman of the Task Force on ‘Kasur Tragedy & Redressal of Systemic Issues’; Mr. Ejaz Ahmad Qureshi, National Commissioner for Children/ Sr. Advisor, Wafaqi Mohtasib; Ms. Raheela Durrain, MPA and former Speaker Provincial Assembly, Balochistan and Commissioner for Children; Mr. Abu Bakar Khuda Bakhsh, Adl. IGP Punjab; Syeda Viqar un nisa Hashmi, Commissioner for Children & Secretary Task Force; Ms. Souriya Anwar, President SOS Village & Member National Committee on Children; Ms. Shaheen Atique ur Rehman, Commissioner for Children; Ms. Nasreen Farooque Ayub, Commissioner for Children; Ch. Muhammad Masud Akhtar Khan, member National Committee on Children; Ms. Samar Minallah, Commissioner for Children; Prof. Dr. Amir Zaman, Vice Chancellor Fatimah Jinnah Medical University, Lahore; Sardar Tahir Shabbir, District & Sessions Judge, Lahore High Court; Dr. Nazeer Ahmad, M.S., DHQ hospital Kasur; Ms. Shazia Sarwar, AIG Gender Crime; Mr. Ansar, AIG (Prisons), Punjab; representatives of government departments and non-governmental organizations and media officials participated in the meeting.

2. Mr. Ejaz Ahmad Qureshi welcomed the participants and stated that taking cognizance of the serious violation of child rights in Kasur, the Office of National Commissioner for Children, working under the Wafaqi Mohtasib Secretariat initiated this research study. The overall objective of this initiative is to diagnose and investigate the issues and redress and rectify the systemic issues, by *inter alia*, putting-in place a need-based mechanism for the rehabilitation and re-integrating of minor victims of sexual abuse.

3. Senator Dr. S.M. Zafar in his keynote address briefed the participants that the Office of the Commissioner for Children constituted this Task Force in response to the increasing cases of sexual violence against children in general and Kasur in particular. He expressed his concern over the failure of the criminal justice system in prevention and control of crimes against children.
4. He complemented the efforts of Syeda Viqar un nisa Hashmi for undertaking an in-depth research study on 'mapping issues and response to sexual violence against children in District Kasur,' the draft of which has already been approved by the Task Force and now and its key findings and recommendations have been shared with the Steering Committee for its input to finalize.
5. Syed Tahir Shahbaz, Hon'ble Wafaqi Mohtasib of Pakistan stated that the mandate of the institution of Federal Ombudsman is to diagnose, investigate, redress and rectify any injustice done to a person through mal-administration. In pursuance of the constitutional provisions and the international commitments of the Government of Pakistan, obligating the state authorities to take special measures for the protection of children of Pakistan we have taken several special initiatives for the redressal of the grievance of children.
6. Such initiatives include the appointment of Mr. Ejaz Ahmad Qureshi as National Commissioner for Children; Constitution of the 'National Committee on Children', headed by Senator Dr. S.M. Zafar. The members of the Committee are the persons of integrity, belonging to diverse professional background with extensive experience in field; appointment of the 'Commissioners for Children'. This is an attempt to redress children's issues with concerted efforts. The Commissioners for children work through their respective committees. Each Committee comprises the Commissioner for Children, Advisor of Wafaqi Mohtasib and Provincial Child Commissioner..
7. Human rights fall within the cross-cutting themes. While respecting the provincial jurisdictional boundaries, we redress the systemic issues, especially relating children in close coordination and collaboration with Provincial Ombudsmen and other key stakeholders.

8. Sexual violence against children is a very serious issue across the globe, so also in Pakistan. It is heartening that a panel of Commissioners for Children took notice of the increasing heinous crimes against children in Punjab in general and Kasur in particular. The Task Force on 'Kasur Tragedy & Redressal of Systemic Issues, chaired by Senator Dr. S.M.Zafar, employed a multi-pronged strategy to address the systemic issues relating heinous crimes against children and response thereof, in Kasur. As per plan of action duly approved by the stakeholders in broad-based consultation meetings held in Islamabad and Lahore, an in-depth research study was undertaken.

9. The study was conceptualize and led by Syeda Viqar un nisa hashmi, Secretary of the Task Force and our Advisor. The purpose of this effort is to explore the depth of issues, reasons and gaps in the response mechanism. This study provides us a base for setting-up of a need-based model response mechanism in collaboration with the key stakeholders and development partners, which subject to its viability and effective service delivery could be replicated in other parts of the country. Your valuable input to strengthen our humble efforts for the protection and welfare of children would be highly appreciated.

10. Syeda Viqar un nisa Hasmi, shared the findings and discussed the input given by the members of the Task Force in the meeting. She briefed that a holistic multi-pronged participatory approach involving a mix of qualitative and quantitative methodologies was adopted in this research study. The Administrative data of last 10 year (2008 – 2018) of the Punjab Police and the District and Sessions Court, Kasur as well as of the NGOs, working in Kasur was procured. The primary data was collected through interviews of 83 key stakeholders; including 41 percent guardian/relatives of minor victims; followed by 34 percent accused / convicts; 11 percent minor victims; and 14 percent other stakeholders, including the representatives of government and non-governmental institutions.

11. The research revealed a drastic disparity in the socio-economic status and educational background of the accused and the victim families. About 92 percent of the accused were literate with 45 percent had formal education, while 70.59 percent of victims' relatives were illiterate.

12. The study of prevailing child protection mechanism reflects recent legal reforms in terms of criminalizing rape, unnatural offence, and sexual abuse against minors; and disclosure of the identity of minor victim of sexual abuse. The cybercrimes law criminalized child pornography; cyber stalking for the first time in Pakistan. The minor victims have legal right to free legal representation, where required; medical examination and in case of female victim by a female doctor; admissibility of Deoxyribo Nucleic Acid (DNA) test with mandatory provision relating its confidentiality. The Child Court is obligated to decide the cases within one month.

13. The laws have been enacted but their enforcement is a serious issue. Administrative data, 272 cases of sexual violence against children had been registered, in the last ten years, of which only 29.8 percent cases concluded with acquittal of accused in 27.2 percent and convictions in 2.6 percent, while 5.5 cases cancelled. The data of sub-ordinate Courts in Kasur reflects institution of 128 instituted cases in the last ten years, of which 24.21 percent cases decided with 87 and 12.9 percent acquittal and convictions of accused, respectively. The overwhelming majority of 75.78 percent cases are lying pending / under trial. The reason for the pendency of 41.23 percent of these cases is the non-appearance of witnesses.

14. The root causes of the such incidents include *inter alia*, the overall deteriorating moral values; prevalence of illicit business including drugs; prostitution, easy access to pornographic video even to the children; mafias / gang trapping the minors into the vicious circle; and lack of awareness among masses of the potential harm to their children.

15. Major issues in the criminal justice system were observed at the investigation level due to corruption and inefficiency of the Police Officials; power play of the landlords, politicians, etc., - protecting the criminals and influencing the justice process by pressurizing the victim families to withdraw their cases; compounding of the cases despite being non-compoundable; lack of free legal aid to the poor victim; lack of protection to the witnesses; negative role of legal fraternity in Kasur; sexual victimization of the accused in their early age; complete lack of psycho-social support mechanism for the rehabilitation of victims of sexual abuse; lack of healthy recreational activities for the children; and negligible role of NGOs in this regard. Political will of the authorities is another serious

issue. High promises made in response to hype in international media after Zainab's case did not see the light of the day.

16. The recommendations include short-term reforms include: (1) Establishment of '*One-Stop Facilitation Centers*'; and development of Database of the DNA of criminals, suspects, etc., in Kasur. The long term initiatives include legal reforms regarding the: (1) mandatory provision for the psychiatric and psycho-social support to the victims of sexual abuse and the accused; explicit prohibition to exonerate the accused of sexual offence; speedy trial of the cases of sexual abuse against minors; tracking system of the cases of sexual abuse against minors; their periodic data analysis; need for the protocol of the GOP with Google and Facebook Authorities for the prevention of cyber-crimes; improvement in educational system; awareness – raising; and skill development for the protection of children.

17. The participants of the meeting unanimously endorsed the report with the following recommendations:

- a. Supervisory committee must be constituted to ensure the Court cases relating sexual abuse of children lying pending are decided within defined time limit;
- b. The report on “mapping of issues and response to sexual violence against children in Kasur” must be printed, translated into Urdu and disseminated widely, especially to President of Pakistan, (Patron-in-Chief) of Federal Ombudsman; Prime Minister of Pakistan; Speakers of National and Provincial Assemblies of Pakistan and all key stakeholders;
- c. Deterrence / strong methods must be adopted to deal with the offence against children;
- d. The meeting of the Committees for Children must be held in all provinces to understand the issues and strategize way forward;
- e. The cases of violence against children must be followed-up by the Committees of Commissioners for Children;
- f. Police and prosecution needs to be improved;
- g. All provinces need to be on one-page on the issues of child rights;

- h. The IGPs need to give strict instructions to the SHOs to handle the cases effectively;
- i. Child Protection Cells must be established in each city to facilitate children in need of support;
- j. Massive awareness campaign on the protection of children must be launched; and
- k. Parents must be sensitized to play active role in supervision of their children to prevent their involvement in unhealthy activities and bad associations.

18. Syed Tahir Shahbaz, Hon'ble Wafaqi Mohtasib thanked the participants for their valuable input and announced that the report shall be printed and translated into Urdu at the earliest. He also ensured that he will share this report with the President of Pakistan, Prime Minister, Chief Justice of Pakistan, Speakers of the National and provincial Assemblies of Pakistan, concerned Ministries and Departments and all other key stakeholders.

END NOTES

ⁱ CMA No.1313/2015 in SMC NO.1 OF 2006 dated 28-05-2015.

ⁱⁱ The statistics were quoted on the UNWomen website, 'Facts and figures: Ending violence against women'.

Available: <http://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>

Accessed: 13/06/2018.

ⁱⁱⁱ NSPCC. [Online]

Available: <https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/child-sexual-abuse/sexual-abuse-facts-statistics/>

Accessed: 13/06/2018.

^{iv} Joint Investigation Team's (JIT) Report on videos scandal of Hussainwala, Kasur, dated nil, submitted by Mr. Abubakar Khudabakhsh, DIG/Deputy Commandant, Punjab Constabulary (Convener JIT).

^v Report No.338, dated 05/02/2018, submitted to Inspector General of Police, Punjab by the District Police Officer, Kasur.

^{vi} The definition of child sexual abuse formulated by the 1999 WHO Consultation on Child Abuse Prevention (62). [Online]

http://www.who.int/violence_injury_prevention/resources/publications/en/guidelines_chap7.pdf

^{vii} UNICEF/UNHCR/Save the Children/World Vision, 2013, p. 3.

^{viii} The Constitution of the Islamic Republic of Pakistan, 1973, Article 25(1).

^{ix} *Ibid.*, Article 25(3).

^x *Ibid.*, Article 37(e).

^{xi} *Ibid.*, Article 25A.

^{xii} The Punjab Destitute & Neglected Children Act, 2004 (PDNCA), Section 51.

^{xiii} The United Nations convention on the Rights of the Child (UNCRC) was ratified by Government of Pakistan on 12 November 1990. [Online]

Available: https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-11&chapter=4&lang=en

Accessed: 25.06.2018.

^{xiv} The *International Covenant on Civil and Political Rights (ICCPR)* was ratified by Government of Pakistan on 23 June 2010. [Online]

Available: https://treaties.un.org/Pages/ViewDetails.aspx?chapter=4&clang=en&mtdsg_no=IV-4&src=IND

Accessed : 25th May 2018.

^{xv} The *International Covenant on Economic, Social and Cultural Rights* (ICESCR) was ratified by the Government of Pakistan on 17th April 2008. [Online]

Available: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4

Accessed: 25th May 2018

^{xvi} The United Nations Convention on the Rights of the Child, Preamble.

^{xvii} *Ibid.*

^{xviii} *Ibid*, Article 3(1)

^{xix} *Ibid*, Article 19.1

^{xx} *Ibid*, Article 34

^{xxi} CRC, Article 39.

^{xxii} ICCPR, *supra*, Article 24(1).

^{xxiii} ICESCR, *supra*, Article 10(3).

^{xxiv} The Government of Pakistan Accessed the Convention for the Elimination of All Forms of Discrimination Against Women on 12.03.1996. [Online]

https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en

Accessed on: 14.05.2018.

^{xxv} The Government of Pakistan ratified the Worst Form of Child Labour Convention on 11.10.2001. [Online]

http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:312327

Accessed on: 14.05.2018.

^{xxvi} [Online]

Available on: https://www.unicef.org/worldfitforchildren/files/Pakistan_WFFC5_Report.pdf

Accessed: 14.06.2018.

^{xxvii}Source: Pakistan Bureau of Statistics Census Results 2017. [Online] Available:

https://pwd.punjab.gov.pk/population_profile

Accessed on: 18.05.2018.

^{xxviii} [Online]

Available: http://www.pbscensus.gov.pk/sites/default/files/bwpsr/punjab/KASUR_SUMMARY.pdf

Accessed: 14.05.2018.

^{xxix} [Online].

Available: <https://www.pakistanpressfoundation.org/tag/child-abuse/>

Accessed: 14.05.2018.

^{xxx} [Online]

Available: <https://prosecution.punjab.gov.pk/>

Accessed: 14.05.2018.

xxxix [Online]

Available: http://pfsa.gop.pk/?page_id=15

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xl [Online]

Available: <http://www.rescue.gov.pk/>

Accessed: 14.05.2018.

xxxi Administrative data of the cases of sexual abuse against minors, from 01.02. 2008 to 31.03.2018, share by Punjab Police.

xxxii Report No.338/Legal, dated 05-02-2018, submitted by District Police Officer, Kasur to the Inspector General of Police, Punjab, Lahore.

xxxiii Pakistan Penal Code, 1860, (PPC), Section 376.

xxxiv *Ibid*, 377B.

xxxv The Prevention of Electronic Crimes Act, 2016 (PECA), Section 21, PECA.

xxxvi *Ibid*, 22.

xxxvii *Ibid*, 24.

xl PDNSA, *supra*, Section 22.

xli *Ibid*, Section 34.

xlii *Ibid*, 36A.

xliiii *Ibid*, 38.

xliv *Ibid*, 39.

xlv *Ibid*, 41.

xlvi The Crl. Law (Amdt.) (Offences Relating to Rape) Act. XLIV of 2016, dated 22.10.2016, Section 161A.

xlvii *Ibid*, Section 164A, Cr.P.C.

xlviii *Ibid*, Proviso to Section 164A, Cr.P.C.

lix PPC, *supra*, Section 376A.

i [Online]

Available: <https://tns.world/child-protection-curriculum-introduced-in-punjab-schools-2/>

Accessed: 22.05.2018.

ii [Online]

Available: <https://www.pakistantoday.com.pk/2018/01/11/cm-order-installation-of-cctv-cameras-in-kasur-to-prevent-rape-child-abuse/>

Accessed: 23.05.2018.

iii *Ibid*.

liii JIT Report, *supra*, page 4.

liv *Ibid*.

lv Cr.P.C., *supra*, Section 173(1)(b).

lvi PLD 2009 SC 542PLD 2012 FSC 1; PLD 2011 SC 544.

lvii 2013 SCMR 203.